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**ESSAYS,**  
**LITERARY, POLITICAL,**  
**AND**  
**ÆCONOMICAL.**

**IN TWO VOLUMES.**

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**BY**  
**JOHN GARDINER, M. D.**  
Fellow of the Royal College of Physicians, and of  
the Royal Society of Edinburgh, &c.

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**VOL. II.**

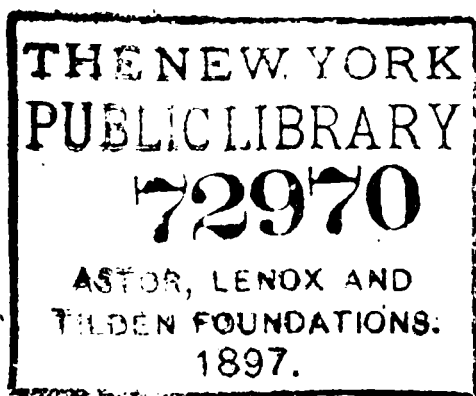
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George Finnear Esq<sup>r</sup>  
with affectionate compliments  
from  
The Author



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**OF**  
**VOLUME SECOND.**

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**HISTORICAL  
REMARKS AND OBSERVATIONS  
ON GOVERNMENT:**

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**AND ON  
THE CAUSES WHICH HAVE AT ALL TIMES  
OBSTRUCTED ITS ADVANCEMENT  
TO A FREE CONSTITUTION.**

**VOL. II.**

**A**



## P R E F A C E.

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THE progress of mankind in science, philosophy, and the arts, has been slow and gradual ; advancing with greater or less celerity, at different periods, but always progressively ; men seldom losing any useful art or invention of their predecessors. But government, intended for the happiness of society and nations, and which has exercised the talents and genius of the greatest men in ancient and modern times, has not met, in every part of the world, with the same degree of improvement. Discoveries and inventions are at first beneficial to their authors ; they soon conduce to the prosperity of the country in which they originated ; and, by degrees, become serviceable to mankind in general. As they contri-

bute more or less, according to their utility, to the wealth and power of the state, they are in some degree encouraged by every administration, but prosper best under free governments. No obstruction, therefore, has been made to their gradual improvement, save those which may have arisen from the despotism of Princes or Nobles, and the ignorance of their slavish subjects. In this country, even when patents are given to the inventors of useful arts, for a moderate term of years, every individual is at liberty to make such alterations and improvements on the invention as may best suit the purpose for which it was intended, though often to the prejudice of the patentee.

But, in regard to government, the practice has been constantly different, especially in absolute monarchies, and in despotic republics; denominations applicable to most of the ancient and modern empires, kingdoms, principalities,

## PREFACE.

palities,\* and democracies. Emperors, Kings, and Sovereign Princes, have often prescribed the constitutions of the countries they governed, by edicts and laws, enacted, from time to time, by their sole authority, in which their prerogatives were strictly maintained, and sometimes stretched to an unwarrantable degree. Similar observations might be made in regard to republics; for, however mild in their administration at their commencement, they have uniformly degenerated into aristocracies, sometimes more despotic than the most absolute monarchies, and in which the interests of the people were seldom consulted. Experience, however, has clearly shown how inconsistent the vanity of Princes, their avarice, and love of dominion, were with their true interest, their power, and the glory of their reign; as will appear more particularly in the following treatise. For agriculture, manufactures, and commerce, from which the prosperity, power, and population of every country

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chiefly

chiefly originate, are known to flourish most under free constitutions ; of which our island is an example.

From these observations, it is easy to perceive, that the great obstruction to the improvement of government, must have arisen from an inordinate desire of power in Princes, with a strong propensity to abuse it, as often as the maintenance of their prerogatives required such exertions. The wretched policy of not duly considering the true interest and freedom of the subject, from which the power and prosperity of Prince and People must always be derived, prevented such improvements in government from being adopted, as might have had an evident tendency towards the perfection of the constitution. Though men of genius and judgement, in a private station, are capable, on some occasions, of suggesting such means as might greatly conduce to the melioration of a constitution, yet it is impossible for  
any

any one man to lay down a complete and unexceptionable system of government \*. This is best done in large deliberative assemblies enjoying a perfect freedom of speech, in which there are generally certain individuals possessed of talents competent to the discussion of every subject that may come before them, in the multifarious business in which they must be often engaged. Even with these advantages, ages are required ; and many alterations

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\* The treatises left us by ingenious men on this subject, afford great amusement in the perusal; but are rather works of imagination, than systems which could be reduced to practice. Some of them hold out to us a utopian felicity, which might be produced by such docile imaginary beings as composed their commonwealth, but was by no means suited for men of this world. The fact is, that no preconceived system of government has ever been found to answer the expectations of its author : It is experience alone, that can determine the expedience or inexpedience of certain laws, forms of procedure, privileges, and a multiplicity of other circumstances, all contributing to the formation of a constitution.



in the state must take place, before a constitution can be brought to any degree of perfection.

How different, now, are our ideas of government, from what they were during almost the whole of the seventeenth century, and how differently do we reason on that subject? Soon after the accession of James to the crown of England, he discovered a strong desire for the union of the two kingdoms—a measure which, in the opinion of the wise and dispassionate, would have an evident tendency towards increasing the power and prosperity of the island. The ancient enmity of the two kingdoms still subsisting, the Commons were so averse to the proposal, that they willingly would have given the King a subsidy to avoid being pressed on a subject so hateful to them; but he chose rather to lose such a supply, than not insist on the union. In the course of the debate on this important subject,

subject, many remarks were made on the poverty, avarice, and ancient enmity of the Scots, and the necessity of reducing their country, like Ireland, to a state of absolute subjection to England ; which he could not help resenting. But James, finding it to be so disagreeable to both Houses, at length acquiesced in the negative of a large majority in the Commons, to the motion for a union.

Under the military government, and during the Protectorship of Oliver Cromwell, Scotland and Ireland were forcibly compelled to unite their interests with those of the commonwealth ; but there was not, by statute, any absolute union of these kingdoms. It was not till the reign of Queen Anne, when the animosities occasioned by former wars, disputes, and a jealousy of interests between these realms, had in a great degree subsided, that their union, after much opposition on both sides, particularly by the Scots, was at last happily effected.

At

At that period, a union with Ireland, strongly solicited by the nobility and gentry of that kingdom, might have been easily accomplished. The British Parliament, however, still retaining a great deal of that passion for power and domination which often actuates Princes and republican states, obstinately rejected all advances by the Irish on that head. It was probably thought more honourable for the Crown, and the nation in general, to hold that country as a conquered province, than to admit the Irish to an equal participation of the privileges of British subjects, by a strict union of the two kingdoms. A still greater obstruction to so desirable an event, was, a mean and impolitic jealousy of the British merchant; absurdly supposing, that advantages would accrue to the British, from perpetuating, by illegal restraints, the poverty and inability of the Irish for commerce; as if there had not been trade enough in the world for both kingdoms.

Ireland

Ireland has accordingly, till the beginning of the nineteenth century, been governed by a Parliament and Viceroy, or Lord Lieutenant, under the influence and direction of the British cabinet. The privileges of the Irish in trade, have been from time to time enlarged; and, in 1782, the powers of their Parliament were so increased, as to render them in a great measure independent of the British administration. But, to obviate all the inconveniences that might arise from a separate legislation, and to abolish, by degrees, the baneful influence of the French over the seditious part of that kingdom, productive of such cruel civil wars as lately took place with the rebellious but deluded Irish, a union with Great Britain was proposed. By the wisdom of both Parliaments, this has been happily effected; which, most probably, will bring about a greater degree of morality, civilization, and industry, among the lower ranks of the Irish. An increase of trade and commerce,

commerce, of prosperity and power, to the United Empire, must be the gradual but certain consequences of our having become one people. This union has been carried on with a liberality which does honour to the British administration ; for the articles agreed on, apparently in favour of the Irish, will, it is to be hoped, contribute effectually to the aggrandizement of the whole British empire.

Among the many alterations that have been attempted, for ages past, to improve our constitution and condition, as a maritime and commercial state, I have chosen merely to mention the time taken up, the prejudices to be overcome, and the difficulties to be removed, before a union of these kingdoms into one compact empire, so obviously beneficial to the whole, could be perfected. Some of the causes which have obstructed the improvement of government, have been just mentioned ; others I shall have occasion to notice in the course

course of this treatise. But those who desire more ample information on this head, must be referred to the history of Britain, from its earliest period to the present time. In the perusal of which, may be seen, the many struggles of the different orders of the state for power and independence, with various success; but at last, all ranks resolving to be free, the Revolution was accomplished, which terminated in the establishment of that happy constitution, so justly the admiration of foreign nations; which, ever since, has been improving, and is still capable of further improvement, without departing from the principles on which it has been founded. Let us not therefore say, with the seditious of these times, that because our constitution is improveable, that it is bad.

This has, however, been the language of the ringleaders of sedition, who have held out, with great art, and specious but false arguments, to the deluded multitude, that our government

vernment was in its nature bad, and ought to be totally changed. As nothing, however, can appear to be good, bad, or indifferent, but by a comparison; it certainly was incumbent on these men, with a scrupulous exactness and impartiality, to make the comparison between ours and any other more eligible form of government; which they undoubtedly have not effected. But to make up for this deficiency in the revolutionists, I have endeavoured to compare the British constitution with itself, at different periods, by taking a progressive view of the gradual rise of a spirit for freedom, from the Reformation to the Revolution. As we never did enjoy true freedom under our kings, till after this last period, it can be nowise surprising, that the inhabitants of Britain frequently evinced a strong desire to substitute a republic or commonwealth in the room of monarchy. While contemplating this subject, I have been naturally led to trace the origin and progress of republican principles, in Britain,

tain, from various sources ; and I hope that the explanations given on this head will be found satisfactory.

The great obstructions in our advancement to freedom, were, the despotic power of our Monarchs ; their extensive prerogatives, particularly in the dispensing power ; the privileges of the Barons ; and the remains of the feudal system ; all which operated strongly in the oppression of the subject. But the dispensing power of the King was taken from him by the bill of rights ; and his other prerogatives have been so considerably abridged, that he is now little more than the executive officer of the state. The privileges of both houses of Parliament, especially of the Commons, during the last century, have been gradually enlarged ; and the powers of the Peers, during the recesses of Parliament, is no more than what usually accompanies wealth everywhere ; for all, from his Grace to the peasant, are on an equality in respect



respect to the laws. Though, in this way, step by step, we have arrived at a greater degree of freedom and security than was possessed by any of our predecessors, yet there are, among us, men perfect enthusiasts in favour of ancient republics.

This has obliged me to examine into the nature of the constitutions of the Grecian states, previous to their being conquered by Alexander ; and also to take a progressive view of the several changes in the Roman republic, from the Kings of Rome to the time of the Gracchi. The purport of my labours, in this way, has been to show, that the licentious liberty of the Greeks was incompatible with true freedom ; and that the too great power of the Roman people, was the immediate cause of the ruin of their commonwealth. I have, in like manner, endeavoured to take a review of the constitutions of the modern republics in Europe, previous to their being conquered and new-

new-modelled by the French ; and have found each of them so severely aristocratical, that it could excite no surprise to observe the inhabitants receiving the French with open arms.

Despotism, exercised throughout Europe, under its various forms, of monarchy, aristocracy, and in republics, gave the French, most unquestionably, great advantages over their unwelcome antagonists in the war. For the words, *Liberty, Equality, Fraternity, Amity*, and all the endearing expressions of an ingenious, but deceitful and treacherous enemy, could not fail to have extraordinary effects, in favour of the French, in every contest. The indiscreet exercise of despotism by the several powers of Europe, had a strong tendency to alienate the subject from his allegiance, which was hastened on by the education and machinations of the Illuminati. Of this very extraordinary combination, I have given some account ; but

have chiefly referred my reader to the ingenious and learned Professor Robison's publication, in which the subject is treated with judgement and perspicuity.

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**HISTORICAL  
REMARKS AND OBSERVATIONS  
ON GOVERNMENT:**

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**AND ON  
THE CAUSES WHICH HAVE AT ALL TIMES  
OBSTRUCTED ITS ADVANCEMENT  
TO A FREE CONSTITUTION.**

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**SECTION I.**

**THE ABUSE OF POWER BY OUR ANCIENT KINGS AND BARONS, OBSTRUCTED ALL ADVANCEMENT TO TRUE FREEDOM, WHICH SLOWLY GAINED GROUND WITH THE GRADUAL ABOLITION OF THE FEUDAL SYSTEM; BUT INCREASED, WITH A MORE STEADY PACE, FROM THE DAWNING OF THE REFORMATION TO THE REVOLUTION.**

*Par. 1.* **THE art of government is so extremely intricate, as to require not only the experience of ages, but many favourable circumstances, for the establishment of such a system**

system as shall produce a permanent harmony between the governors and the governed. Such a happy constitution cannot exist, till all ranks are brought to a perfect equality, in regard to the security of their persons and property, by enjoying an equal degree of freedom under established laws. However practicable this idea of government may appear, it never yet has been established in any country, with whose history I am acquainted, to the universal satisfaction of the inhabitants. This may arise from the unavoidable imperfection of all human institutions, and likewise from the great diversity in the minds of men, in the exercise of their reason and judgement, on subjects far less intricate than that of government. It is true, that the general plan, or first principles of a free constitution, are clear, simple, and easily comprehended; but when we come to view the different departments, or divisions and subdivisions of office, into which the government must be arranged, it will appear more complex.

2. This is best known, in this country, to those men whose professional abilities have raised them to be judges in the several courts of law ; and to those whose experience and known capability for the management of public affairs, have promoted them to a direction in the several offices under the Crown. As most of these men go through a professional education in their several departments, the difficulty of carrying on the business, peculiar to each, vanishes. For the routine of business is, in most cases, prescribed by statute, or by precedent ; and the whole is carried on with great accuracy and ease, by the division of labour. It is on this plan our constitution is formed. But I forbear to enter on the prerogatives of the Crown, the privileges of either House of Parliament, or the powers annexed to, and duties discharged by, the subordinate offices. It appears that much time, long experience, and consummate wisdom, was necessary to lay the foundation of our present free constitution ;  
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for we never did obtain it, till the Bill of Rights was granted by William at the Revolution.

3. There is a question that may be put, not without some degree of surprize, by every intelligent reader, how this nation in general came so tamely to submit, not only to such extensive and unconstitutional prerogatives of the Crown, but to the more oppressive privileges of the Barons, for so many centuries? This question may be thought of difficult solution; but whoever is versant in the history of ancient and modern times, will perceive, that it has arisen universally from the same cause—an inordinate desire of power, to which all mankind is more or less inclined, and which most men pursue with unremitting attention. In confirmation of this fact, we may appeal, not only to the general sense of mankind, but to the histories of every nation in the world. There, it will be found, that power is universally the first principle of action among men; especially

especially with those who, from their appointments in the state, are entrusted with the exercise of it.

4. This universal thirst for power, is, like all other passions, when used with judgement and moderation, of great benefit to mankind. It preserves that subordination in governments, and in societies, so indispensable for the regulation and management of public and private affairs, and for the preservation of peace and harmony. It ought to be, however, like the rod in the hand of a tender and affectionate parent, sometimes shown, but never exercised, unless for the advantage of his children. Ministers, judges, and others of subordinate rank, who use their power after this manner, for the good of society and of the public, will always meet with veneration, love, and gratitude, from all good men. But the abuse of power has ever been the scourge of mankind; it is the support of tyranny, oppression, and slavery,

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very, that unnatural and humiliating state of man ; it is subversive of liberty, of security, of law itself, and of all good order in a state. It is the abuse of power that has retarded, for so many centuries, our advancement to that freedom and security, under the laws which form our present constitution. \*

5. From the commencement of our history, there appears to have been a constant jealousy between the King and the Nobles ; the former embracing every opportunity to enlarge his prerogatives, while the latter were equally intent on the extension of their privileges. These struggles were carried on with various success ; but, in whatever way they terminated, little advantage accrued from them to the lower ranks, notwithstanding the provisions  
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\* *Vide* Appendix, page 1. On the Use and Abuse of Power.

made in their favour by Henry the First, John, the Edwards, and their successors. The condition of the Baron, and that of his vassal or tenant, was too far removed, (as was the pride of the former, from the abject humility and submission of the latter), ever to permit them to act in concert for their mutual freedom. An extension of the freedom, security, and privileges of the people, though sometimes obtained and sworn to by both parties, was often the pretext of differences between the King and his Nobles : But, after the disputes were ended, the love of power and dominion, either of the King or of the Nobles, as often prevented the full enjoyment of the salutary enactments in favour of the people. When the landlord performed an act of justice, it was frequently in such a way as if he conferred an obligation on the tenant ; and was, of course, received by the latter as a favour. If the tenant pretended to remonstrate against what he apprehended to be an act of injustice, the landlord, in many

instances, treated him with such contempt, that, rather than run the risk of farther injury, the tenant withdrew his claim. This conduct of the Baron is perfectly consonant to the unbending temper of the proud man : for nothing mortifies him so much, as the necessity of condescending, by a plaintive, persuasive language, to court his inferiors. From the known generosity and humanity, however, of the English nobility and gentry, there must have been many exceptions to these general remarks ; but there can be no doubt of their just application in numberless cases. For the account I have given, appears to be a true representation of the situation, anciently, over Britain, of the landlord and tenant. A spirit of freedom was introduced more early in England, however, than in Scotland.

6. But this spirit did not take place among the people, till several favourable circumstances had concurred to enlighten their minds,  
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and to give them a more correct way of reasoning on religion, and afterwards on government. The chief of these were some absurdities that had crept into the doctrines of the Church of Rome, which excited individuals to examine the Scriptures, and the history of the Church, for the articles of their creed. This began as early as the reign of Edward the Third, among the Lollards; the first who adopted the principles of the reformed religion. The Reformation, however, was not established till near two centuries after that period. The art of printing, begun early in the fifteenth century, increased, at any easy rate, the sale and perusal of Bibles. But what tended most to promote literature and the study of the classics, was, the dispersion and printing of the Grecian and Roman manuscripts, after the taking of Constantinople, in 1453, as mentioned in my Treatise on Literature, &c. Section II. (parag. 30. 31.) Soon after this, the passion which prevailed among persons of con-

dition, throughout Europe, for the study of Greek and Roman authors, brought them acquainted with all the learning of the ancients. This species of reading appears to have had another effect ; that of bringing about, by slow degrees, an alteration in the constitution of this country. For, constantly poring on the histories of the republics of Greece and Rome, has a wonderful tendency to beget republican principles in the reader.

7. Republican principles were not so perceptible in the other great nations of Europe, where a despotic and arbitrary power was more firmly established. But, in Britain, where, for some centuries, so many contests had taken place between the King and his Barons for power, republicanism had a slow, but decisive influence, on the minds of individuals. This spirit took its rise first among the Greek and Latin scholars, who were laymen, and, for the most part, persons of some rank  
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in the state. \* And, considering the anarchy that so often prevailed, their preference to a republic was no way surprising : for men, worn out and dispirited with a thirty years war, as was the case here, prior to the accession of Henry the Seventh, began to reflect upon the folly of fighting for Kings, while their condition as subjects was not thereby in the least meliorated. They recollected the extinction of many of their nobility, and that the Royal

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\* It is a circumstance not unworthy of observation, that several of the teachers of the dead languages, no way distinguished for the extent of their capacities, but, with a few exceptions, remarkable for a fractious discontented temper, have always discovered a strong propensity to the ancient forms of republics. Some of their scholars, of a similar disposition, who delight in the study of the ancient histories of Greece and Rome, and have not forgotten the lessons on government received from their reverend teachers, likewise incline to democracy. But the merits of this species of government can be known only by a comparison with other constitutions, which I shall endeavour to give in a subsequent part of this Treatise.

family itself was nearly in the same situation ; they saw the country depopulated and laid waste by cruel wars, but still found themselves and the populace slaves to a severe aristocracy, or to the arbitrary power of the Crown. For, whether the power of the Crown or that of the nobles prevailed, the great body of the people were, for the most part, held in severe subjection : and as the nation at large never had possessed true freedom, so the people could have no conception of the happy constitution we now possess under a limited monarchy.

8. Though wisdom and abilities may be ascribed to some of our Kings, yet many were either fools or tyrants ; and the prerogatives of the Crown were always too great for the liberty of the subject. But whoever is acquainted with the history of England, will readily perceive, that the power and authority of the Barons were more oppressive than those  
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of the Crown. This ought, no doubt, to inspire us with a strong desire to abolish from our constitution, all remains of the feudal system, so inimical to the freedom we ought to possess.

9. Before the end of the fifteenth century, some solitary men of learning might amuse themselves, by contemplating the republican governments of the ancients ; but, from the great power of the Crown, and the aristocratical dominion of the Barons, they could have no conception, that the constitution of a republic could be adopted for the government of this country. Some time after this, however, when copies of the ancient authors came to be printed, and were more generally studied, improvement in general literature, and in the arts of government, gradually advanced. Though this species of knowledge was by degrees extended over Europe, and was particularly cultivated in this country, yet no revolu-



tion of government could possibly take place during the severe despotic reign of the family of Tudor. The Reformation commenced in the time of Henry the Eighth ; to which, from the oppressive taxes, and rigid discipline of the Church of Rome, the minds of many were already inclined ; though it was not fully established till the reign of Elizabeth. The principles of government were now more studied, and the liberty of the subject better understood : the errors of the Church of Rome were exposed, and men were surprised that they had so tamely submitted, for many centuries, to the intolerable yoke and oppression of the Romish hierarchy. Those men, whose minds were thus enlarged, not only laughed at the celestial mission of the Popes, and the doctrine of the Romish Church founded on it ; but disproved and reprobated, in the strongest manner, the hereditary indefeasible rights of Kings.

10. Though a few individuals, in the reign of Elizabeth, may have, from their study  
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of the ancients, adopted republican principles ; yet the generality of those who wished for a reform in the government, confined their views chiefly to an abridgement of the prerogatives of the Crown ; many of which, said to be inherited from her ancestors, were, no doubt, too extensive, and of a nature too despotic for the enjoyment of true freedom. It was in this reign, that several independent gentlemen, members of Parliament, who, during their residence at Geneva, and other Protestant countries on the Continent, while the persecution of the Protestants in England continued, had embraced the doctrine of Calvin, (and, affecting a peculiar sanctity of manners, were therefore called Puritans), attempted, though with little success, to limit the prerogatives of the Crown. But the popularity of the Queen ; her steadiness and policy ; the great abilities of her ministers ; and, above all, her prudent œconomy in the expenditure of the public revenue, prevented any considerable alteration from taking place.

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These political reformers increased in number, through the peaceful, but expensive, reign of her successor James ; and promulgated everywhere the idea of the power of the Crown being exorbitant, which they endeavoured on every occasion to circumscribe. In this critical situation, it was the misfortune of the family of Stuart to have imbibed too high notions of their prerogatives, and to adhere to them with an obstinacy, inconsistent with the enlarged views of the subject, in the seventeenth century, for freedom.

11. The leading men among the Puritans were men of learning, and of such considerable abilities and address, as to bring over most of the middling and lower ranks to adopt their political principles. The bond which held them so strongly united, was a supposition that they all professed the same articles of faith and doctrine in religion. This, however, was not literally true, as must appear from the great number

number of Calvinistical sects which arose at that time. But, however they might differ from each other in their doctrine and practice, they were all united in their political creed. It is unnecessary to give any detail of the memorable struggles between the Crown and this formidable combination. The great majority were Presbyterians, or affected to be of that sect. They were in general enthusiasts; pretended to inspiration; and were republicans. The few Episcopalians who joined them, were for a limited monarchy. But the former succeeded, after the murder of Charles.

12. This republic was of short duration; for Oliver Cromwell, as Protector, having assumed the executive power, and being without controul, became more despotic than any of our Kings. It is true, that during the commonwealth, there was, for the most part, in the courts of law, a strict and impartial administration of justice; and many laws were enacted,

enacted, of so salutary a nature, that they were adopted, after the restoration, by the Parliament of Charles. A good police appears to have been everywhere established ; and, from 1650, trade and commerce gradually increased. After Oliver, as Protector, 16th December 1653, assumed the executive power, his orders to his generals and admirals were kept so secret, and they were executed with such celerity, as gave him great advantages over his enemies in war. These circumstances were, in appearance, extremely favourable for the liberty of the subject, the security of property, and prosperity of the nation. But the treaty of alliance with France, the wars with the Spaniards and the Dutch, rendered Cromwell unpopular with many men of power and influence in the nation. Reigning sometimes with, at other times without a Parliament, and being obliged, for the preservation of his power, to vary the mode of his administration, he became at last more arbitrary than any monarch in Europe ; and,  
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towards the end of his administration,<sup>b</sup> the people in general longed exceedingly for the restoration of Monarchy. There arose, of course, a general dislike to his government. Not only the Royalists, but the disappointed republicans, were at great pains to expose to view every exceptionable part of his conduct; which brought him at last, and his government, to be universally detested. \*

13. These circumstances operated so strongly after the death of this wonderful man, whose  
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\* Authors have dwelt with great admiration on the abilities of Oliver, from those eccentric and prompt resolutions which gave him the command of the army, and enabled him to model or dissolve the Parliament at his pleasure. But it is certain, that nothing less than the political and religious fanaticism of the times, could have insured success to that irregular mode of proceeding; for, had he lived much longer, his power must have become too weak to prevent his deposition from the Protectorship, and the restoration of the King.

singular character is scarcely to be paralleled in history, that the restoration of Charles was accomplished with ease, tranquillity, and even universal joy throughout the nation. The recall of Charles was effected with so much goodwill and unanimity in the nation, that he was allowed to assume the Crown, without the stipulation of any article or condition by which his future conduct, as King, was to be regulated. It is perhaps to this apparently unfortunate circumstance, that we owe the blessings derived from the Revolution. For Charles, after the first transports of his joy and exultation were over, failed not to remind himself and his friends of the ancient prerogatives of the Crown. His too great adherence to these ; his arbitrary measures in Scotland ; the Dutch wars ; his equivocal conduct to his allies ; and other exceptionable parts of his administration, cooled his friends, and created a general suspicion of his designs. Above all, his servile dependence on Louis the Fourteenth, for the establishment

establishment of his absolute authority in Britain (from whom he and some of his ministers were known to receive secretly large sums of money), raised, in the Commons, a jealousy of his intentions, which continued with unremitting attention to the end of his reign.

14. As Charles was one of the most polite men in his dominions, with a most engaging address; acute and sensible in conversation, with a great deal of pleasantry and good humour; he was, in private life, one of the most agreeable men of his time; and, as such, was greatly beloved by his subjects. But, in his political character, he showed a strong and earnest desire of becoming absolute in his dominions. This passion for despotism, often discovered by the sinister means used to obtain it, so rankled the minds of all lovers of liberty and justice, as to prepare them for almost any revolution that might happen for the establishment of true freedom. His brother  
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James, possessing the same principles for arbitrary power, displayed them more openly, and with less address ; which, with his unconquerable attachment to the Roman Catholic religion, disgusted and wore out the patience of his subjects, and brought about his abdication, and the establishment of William on the throne.

15. The restoration of the King in 1660, met with such universal approbation, and created such a general joy, that Charles asked his courtiers, with apparent surprise, what had become of the republicans who fought so vigorously against him and his father. The same question might have been asked at the revolution ; but the remembrance of the civil wars, their ruinous consequences, and the despotic power exercised on many occasions by Cromwell and his associates, gave a decisive majority in the nation for Monarchy. It is highly probable, that those of the lower ranks, who  
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had, from a desire of novelty or of interest, joined the republicans, would, at the Restoration, and at the Revolution, for the same reasons, easily conform to the politics of the times: for this has always been the case with that part of the populace who are incapable of reasoning and judging, with any degree of accuracy, on so intricate a subject as that of government.

16. For many ages past, more particularly from the commencement of the Reformation, there has been a succession of independent men, of abilities and some influence, who, on apparently favourable opportunities, have never failed to promulgate republican principles. Though their systems of a constitution were not so perfect, or so practicable, as that under which we now have the happiness to live; yet they had often the strongest reasons to wish for an alteration of the then government of this country. For, during the prevalence of

the feudal system, while Kings and Nobles were so vigilant for the preservation of their power and authority, no just idea of the natural rights of men, or of true freedom, could be entertained by their slavish dependents. But, as the severity of the feudal system relaxed, men came by degrees to enjoy more freedom, their minds gradually opened to the prospects of still greater liberty, and a more equal dispensation of the laws, in some future period. This effect of the increase of freedom, on the abolition of feudal services and customs, is the strongest proof that can be given of the necessity of freeing our constitution from every mark of feudal servitude.

17. In these more happy days of freedom and equality, men look back to the great subjection in which the barons and officers of the Crown held the lower ranks of the people, for so many centuries, with astonishment and indignation.

indignation. But it must be remarked, that men, in a state of complete bondage, continued to them from their forefathers for many generations, and who never experienced the sweets of liberty, seldom rise in rebellion against their rulers. The imbecile, uncultivated state of their minds, may no doubt contribute greatly in producing a general acquiescence to the mandates of their superiors. But the inordinate desire of the lord of the manor to preserve his power, and this meeting with the most abject, implicit obedience, from the vassal, whose mind is debased by servitude, has still a more powerful effect in the preservation of peace between these two disproportionate orders. Power, (so eagerly pursued by all mankind, from the cradle to the grave, and from the King to the meanest peasant) when acquired, is easily maintained, if accompanied with judgement, discretion, and good sense. For, in countries where slavery amongst the lower ranks still subsists, as in Russia, and in

some of the northern countries of Europe, it is astonishing with what degree of servile submission the peasant looks up to his lord, and how implicitly he obeys his commands. The slave, on the other hand, is equally surprised to observe the general freedom of the subject in this country. The Hessian soldier well expressed his former state, when he told the American, that, in Hesse, ‘ if the Prince de-  
‘ fired them to eat straw, they ate straw.’

18. The Highlanders of Scotland, prior to the passing of the Jurisdiction bill in 1747, were subjected to all the rigour of the ancient feudal system, and were, of course, in a condition little better than that of slaves. They went through their multiplied services with tranquillity, and without murmur; they adopted the political principles of their chieftain, entered into all his feuds and quarrels, with the same keenness, as if they had been their  
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own, and even joined him in rebellion against his Sovereign. In this abject state, they not only held their chieftain in great veneration ; but their attachment to him was of a nature that bordered upon adoration. They thought their honour, their credit, and their reputation, as a clan, hung upon that of the chieftain. It was they that made him powerful ; and they worshipped him. This is perfectly natural, and will be found to take place, in all ranks, in a degree proportionate to the power, authority, and opulence, possessed by each. It will be greatest to the King, somewhat less to his ministers, and will progressively diminish to the nobility, who possess not some office under the Crown, till we arrive at the lowest degree of power. How great was the veneration in which the subjects of France held Lewis the Fourteenth ! And how cheerfully did they sacrifice their lives in support of his glory !

19. It must, however, be confessed, that the happiness and interest of the Highlander were in some degree concerned in the preservation of the favour of his laird ; for the fear of punishment, or the disgrace of being banished from the domains of his chief, always struck him with terror. This power of the chieftain, was partly owing to the inferior ranks being tenants at will, or to their having the leases of their lands for one year only, which, joined to the poverty and natural indolence of the people, prevented all improvement of the farms, and kept them entirely dependent on their superiors. But it chiefly arose from the power derived from the Crown, of holding courts of judicature, for the trial of trespasses and crimes within their domains, even to capital punishments : And it has been alleged, that proof was not difficult to be obtained against the man who was obnoxious to the chieftain. Soon after the act of Parliament which abolished these jurisdictions, the substantial

stantial tenants, vassals, and those who held lands in pledge for a sum of money lent, called in Scotland Wadsetters, shook off the yoke of servile dependence on their landlords. By degrees, a spirit of liberty diffused itself throughout the Highlands; and the people rejoiced in the possession of more freedom and security than formerly. \* They were now on

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\* It may not be here improper, to give an instance expressive of the growing independence of the Highlanders, and of the high sense those good people had of the blessing conferred on them, by the Jurisdiction Bill, at an anniversary meeting in Athol, to celebrate the passing of this beneficial act. At this convivial meeting, one of the company gave for his toast, 'The Duke of Athol;' while another, rising up, called out 'No; for though 'no man in the company had a higher veneration than 'he for the virtuous character of the Duke, yet he must 'declare his dissent against any chieftain whatever being 'given as a toast on the anniversary of their emancipation.' But added, 'That to-morrow he would drink 'with any one, or all of them, to the health and happiness of so worthy a personage as his Grace.'



an equality with other British subjects ; were protected by the same laws, and had acquired the same rights and privileges. But, notwithstanding this great alteration to the better in their condition, they retained, and do still retain, a wonderful veneration for their chieftain. For the whole clan, either inheriting or adopting the name of their superior, look on themselves as his relations, or as connected with him by affinity.

20. The good effects of this freedom given to the Highlanders, were not general for some years ; they were chiefly confined to those who held an intermediate rank between the chieftain and the smaller tenants. These last, by much the most numerous class, from the smallness of their farms ; the want of a sufficient stock ; their low diet ; an inability for labour, joined to indolence, the usual attendant of the occupiers of inconsiderable grass farms, were in  
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great poverty. The little they had, they at last lost, by the considerable graziers engrossing the whole of their small farms, which obliged them to migrate to America and other countries, in quest of work and subsistence. Though this spirit of migration diminished considerably for some time ; yet it has, in certain places, now and then, shown itself, to the great depopulation of several districts of the Highlands, and of some of the islands. \*

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\* The attention which government and individuals have paid to the extension of the fisheries, and other branches of industry in the Highlands, continues to be of great service to the country : and the navigable canal, to be carried from the river Ness to the sea at Fort William, promises to be a general benefit to the nation, and will employ a great number of hands in its execution. When completed, it will probably give rise to many villages and manufactures along its banks, which, in the present inland state of that country, could not be carried on with advantage to the undertakers. \*

21. This division of the Highland estates into large grass farms, was productive of a temporary distress and poverty among the families of the small tenants. The miserable state, however, of these unhappy people, was, fortunately, of no long duration; for, being banished from their habitations, they were obliged to look out for work, which they obtained in various ways, but particularly in the numerous manufacturing towns and villages throughout the country. This reverse of fortune, in the condition of these poor people, at first so much lamented by the charitable and humane, turned out, in the end, greatly to their advantage. By this change of situation and manner of life, they became more usefully employed in the extension of our manufactures, and obtained a better income than formerly; and the farms, from whence they were banished, are now greatly improved, and more productive,

productive, which must tend to increase the population of the country.

22. This last circumstance, an increased population, may be disputed, on the authority of Dr Adam Smith, Lord Kaimes, and other eminent authors; but their assertions, however true, in regard to champaign countries, apply not to the Highlands of Scotland. For, notwithstanding those districts, which are now divided into large farms, are less populous than formerly; yet this diminished population, is more than compensated, by the increased number of both sexes employed in our manufactures. Many of these, men, women, and children, are from the Highlands; for the useless mouths of that country, who used formerly to be in a starving condition, readily find an asylum with our manufacturers. When treating, more particularly, on the subject of population, it was shown,

shown, that the number of inhabitants of any country, would always keep pace with the produce of the land, the quantity of food, and the ease with which it could be obtained. Now, it is certain, that the number of sheep, above what were formerly raised in the Highlands, and without a proportionable diminution of the number of black cattle, is immense, and almost incredible. These sheep, being mostly bought up by the inhabitants of the country, now become more industrious and opulent than heretofore, it is certain, that they at present use three or four times more animal food than they did forty or fifty years ago. If, to this circumstance, we shall add, that they are better lodged, clothed, and more cleanly in their houses, persons, and apparel, than in former times, we cannot doubt of their offspring being more numerous, and, of course, that the population of the country in general, has, of late years, increased.

23. Grass farms in the Highlands, are now managed with more skill than formerly ; sheep have been found more productive than black cattle ; and the rents have risen, from double, to four or five times their former value. On passing the above act of Parliament, the Barons and Chieftains holding of the Crown, received, from government, more than a full compensation for the emoluments arising from their privilege of holding civil and criminal courts within their jurisdiction. They appear, besides, to have made a most lucrative barter of a trifling power over their vassals and tenants, of no real use, for such a considerable rise in their rents, as now brings them a proportionate power and influence in the state. After leases of farms for a term of years were granted, and vexatious services were converted into money, to the emolument of the landlord, and great ease of the tenant, the people in the Highlands came to be as free as the nature of their situation would admit. For,  
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in the inland districts, and in many of the isles, trade and commerce, the offspring of freedom, cannot be carried on with the same advantage as in more favoured situations.

24. Till the Revolution, the prerogatives of the Crown were too extensive for the liberty of the subject; and the aristocratical power of the Barons, derived from the feudal system, was inconsistent with true freedom. It is evident, that the power of the Nobles gradually declined, from the accession of Henry the Seventh; it was greatly reduced during the commonwealth; and is now become little more than what is consistent with the opulence and moderate privileges of that order. As the most rigorous parts of the feudal system went by degrees into desuetude, the liberty and security of the people became proportionably more apparent. For the laws which were enacted, for the enjoyment of their privileges, were not always effective, while the King or  
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his Barons were in the height of their power as feudal Lords.

25. From the beginning of the seventeenth century to the reign of James the Second, the Parliament had, with a laudable zeal, been acquiring powers, and establishing principles, favourable to the liberty and security of the subject. The authority of the Crown had been limited in many particulars; and penal statutes were enacted, to secure the constitution against the attempts of ministers, as well as to preserve a general peace, and repress crimes and immoralities. The dispensing power, however, derived from ancient, and almost uniform practice, still remained, or was supposed to remain, with the Crown; sufficient, in an instant, to overturn the whole fabric, and to throw down every barrier of the constitution. This power probably arose from Papal usurpation, as far back as the reign of John, who became a vassal of the Pope,



Pope, and swore fealty to him for his kingdom ; for we find this prerogative exercised, in imitation of the dispensing power of the Pope, as early as the reign of his son Henry the Third.

26. To us who live in better days, it appears a matter of surprise, that our Kings were permitted, for so many centuries, to exercise the prerogative of dispensing with the laws, which gave them a power not less than absolute. But it must be remarked, that, under the feudal government, men were more anxious about the security of their property, than desirous of any share of administration in public affairs. For, provided no encroachments were made on their rights and possessions, the care of executing the laws, for the insuring general safety, was, without jealousy, entrusted to the Sovereign. Penal statutes were intended to arm the Prince with more authority for that purpose ; and, being chiefly

chiefly calculated for promoting his influence as first Magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. This prerogative of the Crown would, no doubt, be exercised on many occasions, to mitigate the severity of the law, which is always looked on as an act of mercy, and must meet with the approbation and applause of a generous and humane people. On this account, the dispensing power, which appears, in the present times, of so dangerous a tendency, might not, before the Reformation, when our constitution was so imperfect, be regarded in a light so exceptionable. It ought likewise to be remarked, that as liberty, and the power of resistance, seem to keep pace with each other, it is not to be expected that the abuse of this prerogative would meet with great opposition, at a time when freedom was so feebly established. The established religion of the country being that

of the Church of Rome, such penal statutes as might then exist against nonconformists, would not be very obnoxious to the people at large, who were under the dominion of priests.

27. But soon after the Reformation, when the people in general were strongly excited by sermons, controversial discourses, and harangues of the most inflammatory nature, to hold their ancient religion in the utmost abhorrence, the dispensing power, used in favour of Catholics, was then condemned, as a diabolical exercise of power in the Crown. Mankind are naturally so prone to devotion, that priests of all denominations have often wrought up the multitude to a degree of phrenzy, in defence of articles of faith, beyond the understanding of man fully to comprehend or explain. This was the case at the commencement of the Reformation, when many were raised to such a degree of enthusiasm, as enabled them to suffer death, or to inflict it on others, in defence of  
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their religion ; and both sides were said to die martyrs by the sect to whom they belonged. For, from the first rise of the Reformation in Europe, all sects of Christians appeared, most wickedly and absurdly, to have adopted the opinion, that it was not only innocent, but meritorious, to put every person to death, who differed from them in the articles of their creed. Civil wars and persecutions, the most effectual means to widen the breach between religious sects, were, to the disgrace of the professors of Christianity, used in place of cool reason and argument, to gain converts. It is alleged, and, I am sorry to say, with too much truth, that the Roman Catholics were more violently instigated by their priests, to this cruel, sanguinary method of making converts, than any other Christian sect.

28. During the whole of the seventeenth century, the Protestants everywhere, but particularly in Britain and Ireland, embraced all

opportunities of inflaming one another, with the most envenomed hatred and abhorrence of the Roman Catholics, by reminding each other of the many massacres of their brethren, by the Papists, in former times. On these occasions, the cruel civil wars, massacres, and general persecution of the Hugunots in France, from the reign of Charles the Ninth to that of Lewis the Fourteenth, became the familiar topics of conversation. The wars of Charles the Fifth, and of his son Philip, against the Protestants of Germany,\* with the history of their

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\* The ostensible cause of the religious wars in France and Germany against the Protestants, and for the massacres, proscriptions, and persecutions of that unfortunate people, was religion; and it is probable, that the lower ranks might be excited to a high degree of religious fervour in defence of their faith. But whoever examines the private history of the principal actors in them, the operations of the wars in which they were engaged, and the true import of their negotiations, will easily perceive, that an uniformity of religion insisted on, was only subservient

their ministers and generals, and particularly of the execrable, unrelenting, bloody Duke of Alva, made a part of their horrid picture of the sanguinary disposition of the Romish church. Such inflammatory discourses from the pulpits, in printed sermons and pamphlets, and from the leading men of clubs and societies throughout Britain, begat, in the Protestants, an irreconcilable enmity and aversion to the Romish hierarchy. This dread and hatred rose to such a height, as carried them headlong to the commission of the same crimes they so justly condemned in the Roman Catholics. In proof of which, we have only to

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recollect

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servient to some other political views of conquest, or the establishment of arbitrary power. The public prayers, and other farcical acts of humiliation, by order of the Emperor Charles the Fifth, for the deliverance of the Pope, whom he had taken, and at that time retained a prisoner, were, in the highest degree, impious; being a mockery of God, of every thing sacred, and an insult on the understanding of mankind.

recollect the Popish plots, to which no man now gives the smallest credit, and other unjust prosecutions, condemnations, and executions of innocent Catholics in the reign of Charles the Second.

29. The voice of the nation was everywhere, no doubt, strong against the Church of Rome, from a well-founded jealousy of the King and his brother favouring that form of worship and faith, so inimical to true freedom. But it was a systematical faction, which, in opposition to the views of the Court, so forcibly impressed the minds of the people with ideas of plots, conspiracies, and assassinations by the Papists, as made it dangerous for any one to favour the toleration of their religion in this country. A great majority of the House of Commons, and several of the greatest men in the kingdom in both Houses, joined in opposition to the measures of the Court, and, with the general voice of the

the nation, compelled the King, contrary to his sentiments, to join in the prosecution of many innocent Catholics. Notwithstanding this irresistible opposition made to the establishment of the Roman Catholic religion in this country, Charles lost no opportunity of attempting, at least, by his dispensing power, to favour the worship of the Church of Rome.

30. To serve the same purpose in Scotland, several unwarrantable additions were made to the penal statutes, empowering the civil magistrate to inflict death on nonconformists ; and they were put in execution with the utmost rigour against the people in that country. These execrable measures, however, of the Court, of arming with authority one sect of Protestants to cut the throats of others who differed from them only in trifling articles of faith, served no other purpose than to fix the people in a firm and determined resolution to oppose the religion of the King and his brother.



brother. The covenant ought, no doubt, to be considered as an unlawful, seditious contract, tending to produce anarchy and rebellion ; but the means used to bring back the deluded Covenanters to their duty, were certainly the worst calculated of any that could be conceived to produce that effect. The good effects of liberty of conscience, inculcated by the Independents in the time of the Commonwealth and administration of Cromwell, might have suggested to the King and his Parliament the true means of reconciling different Christian sects to one another. But both sides were too violent to reason coolly on this subject, though they had the example of the Dutch nation, which appears to have fallen on the true secret, with an established religion, of producing mutual harmony and charity among Christian sects, by a general toleration,

31. It was not, however, so much any particular form of worship that the King or the

the Parliament had ultimately in view, as that the former wished to establish despotism, the latter a free constitution. The King seems to have had very little religion of any kind, but who, dying a Roman Catholic, wished to establish that form of worship, as best calculated for the establishment of arbitrary power. Charles, however, acted very inconsistently in the prosecution of his plan, and showed evidently, by his conduct, that religion was only the pretended, and not the real object he had in view ; for, in England, he inclined to a suspension of the penal statutes against non-conformists, to favour the introduction of Popery. But, in Scotland, where an arbitrary power was intended to be established, an opposite practice was observed, by putting the penal statutes in force against the several sects of Presbyterians, who were thought to favour a republican government. To produce a contrary effect, to increase the freedom and security of the subject, and the  
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established episcopal religion, the Parliament of England would not permit the suspension of the penal statutes, or the exercise of the King's dispensing power, in regard to any act of Parliament whatsoever.

32. Though this power was uniformly exercised by our Kings for upwards of four hundred years, with some restrictions by Parliament in particular cases; yet it was not, for the reasons already given, (Parag. 24. & 25.), till the seventeenth century that the two Houses of Parliament, and the nation at large, were fully alarmed with the danger of this prerogative. They saw it to be incompatible with a free constitution, and were sensible, that such a power in the King put him above all law; which was, in fact, to live without a constitution, or at the will and pleasure of the Crown. But how to get rid of this insurmountable barrier to the enjoyment of freedom, was the question; for the Parliament had several times  
acknowledged

acknowledged this prerogative of the Crown, particularly in the reign of Henry the Fifth, when they passed the law against aliens, and also when they enacted the statute of provisors. \*

33. The enjoyment of this prerogative for so many centuries, and without any great controul from Parliament, is a circumstance we are apt to dwell on with some degree of astonishment. But our surprize ceases, on considering the state of the nation before the Reformation, when all ranks acquiesced in a uniformity of religion ; the feeble efforts of dissenters giving very little disturbance to the government. Besides, the meetings of Parliament were so precarious, and their sessions so short, compared to the vacations, that when men looked up in search of sovereign power, the Prince alone was apt to strike them as the  
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\* Hume's History, Vol. VIII. p. 245.

only permanent Magistrate, invested with the whole majesty and authority of the State. We may likewise observe, that, prior to the accession of the family of Stuart, and even during their reign, the principles that in general prevailed, were so favourable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefeasible. \*

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\* During an altercation between Elizabeth and her Parliament, in the 35th of her reign, her messages to the Commons, though couched in the most haughty and indecent language, nay, threatening punishment if they pretended to meddle with her prerogatives or matters of state, were patiently received by a majority of the House. It was even asserted, that the Royal prerogative was not to be canvassed, nor disputed, nor examined, and did not even admit of any limitation; that absolute Princes, such as the Sovereigns of England, were a species of divinities; that it was in vain to attempt tying the Queen's hands by laws and statutes, since, by her dispensing power, she could loosen herself at pleasure.

34. In consequence of these ideas of kingly authority, the Crown was by many supposed to possess an inexhaustible fund of latent powers, which might be exerted on any emergency. Upon the whole, we must conceive, that the Monarch, on the accession of the House of Stuart, was possessed of a very extensive authority : an authority, in the judgement of all, not exactly limited ; in the judgement of some, not limitable. These exalted ideas of Royal prerogative, led the family of Stuart to exercise powers inconsistent with the liberal and enlarged views of the nation in general for civil liberty. From the practice of their ancestors, they were prompted to assume the power of dispensing with the laws of imprisonment, of exacting loans and benevolences, of impressing and quartering soldiers, of altering the customs, of erecting monopolies, and of giving proclamations the force of law ; which exertions of  
power

power in the Crown, were contrary to the principles of all free governments.

35. But as a perfectly despotic power was included in the prerogative of suspending the laws, it was the greatest cause of complaint against the authority of the King, though it was at that time believed to be a power inherent in the Crown. It would seem that doubts arose sometimes in regard to its legality : but when consultations of lawyers were held on this point, they uniformly gave it as their opinion, that the dispensing power was a prerogative of the Crown. The Judges, who met expressly to give their opinion on this head, in the reign of Henry the Seventh, decreed its validity ; and, in the second of James the First, another consultation of all the Judges being held upon the same question, this prerogative of the Crown was again unanimously affirmed. Glanville, the manager of the House of Commons in the reign of Charles the First, and

and Holborne, the popular lawyer in the famous trial of Ship-money, freely, and in the most explicit terms, acknowledged the dispensing power of the Sovereign. Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative, but seems even to believe it so inherent in the Crown, that an act of Parliament itself could not abolish it. \*

36. These several positive decisions, by the first lawyers in the kingdom, at different periods of our history, in favour of the Crown, seemed to have created a belief, that nothing could take away this prerogative, save a voluntary resignation of it by the King. This prerogative was sometimes used by Charles II. and as often retracted, after a strong opposition and remonstrance of both Houses, particularly of the Commons, in the  
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\* Hume's History, Vol. VIII. p. 247.



years 1662 & 1672. It was this power that warped all the measures, and every exertion of Parliament, for freedom; it was used moderately by Charles, but most obstinately adhered to by his brother James; nor did the Parliament know how to get rid of it, till it was totally abolished by the Bill of Rights.

37. It is evident, that without that inestimable clause in the Bill of Rights, by which the Crown was for ever divested of the dispensing power, the rest could have been of no avail. It gave permanency to the laws, stability to the constitution, and put it in the train of improvement in which it has advanced ever since the Revolution. It has prevented those disputes which so often took place between the King and his Parliament prior to this period, which were chiefly owing to the prerogatives of the one, and the privileges of the other, not being accurately defined or understood.

derstood. It is unnecessary to mention the numberless other advantages that have accrued from the settlement of our constitution at the Revolution. Before the reign of James I. the arbitrary power of the Crown, and the more despotic power of the Barons, were intolerable to the subject. There were many struggles for freedom, and often with success; but the laws enacted in favour of liberty, had not the same general good effects that similar statutes have at present. For although the statutes were expressed in the most explicit terms, yet, from the extensive prerogatives of the Crown, they were often evaded, when they came to interfere with the power of the Monarch. When some new statute was to be framed by Parliament for enlarging the privileges of the people, the cry of liberty went through the nation; but, after it received the Royal assent, the clamour of the people ceased; and, for the reasons above mentioned, the act itself was not always in force.

38. Besides the Magna Charta granted by King John, there were enacted by Parliament, before the seventeenth century, upwards of forty different statutes, either corroborating certain articles in that charter, or granting further privileges to the subject not therein expressed. Of these statutes Sir Edward Coke mentions no less than thirty-two between the accession of Edward the First and that of Henry the Fourth, all calculated to ensure and extend the liberties of the English in these three cardinal points;—the right of personal security; the right of personal liberty; and the right of private property. The Protestant religion became part of the English constitution in the reign of Elizabeth; and the privileges of the subject were much enlarged by the Habeas Corpus Act under Charles the Second. Our ancestors were no doubt exceedingly solicitous, arduous, and persevering in their endeavours to procure the enactment of such laws as might establish, for themselves and their successors,

successors, a perfectly free constitution. They, of consequence, succeeded in obtaining such statutes as were sufficient to lay the foundation of as great freedom and security to the whole nation, as was consistent with good government. But it must be remarked, that their several enactments were no more than the foundation of a free constitution ; for the edifice was incomplete, while such extensive prerogatives, with a dispensing power in the Crown, remained in force and in practice. Most of these statutes in favour of freedom, were, directly or indirectly, encroachments on the power of the Monarch, but were not effective as to the point to be established, while the law itself could be dispensed with.

39. In these days of freedom and security, we are apt unjustly to arraign the wisdom of our ancestors, for not commencing the establishment of their freedom with an abridgement of the prerogatives of the Crown, as the

only means by which the laws could be rendered permanent. But whoever is conversant in our history, will readily perceive, that before the Reformation, or the reign of Elizabeth, such a plan of procedure was scarcely practicable. For, to diminish considerably the prerogatives of the Crown, a reform in this respect must have begun with the Barons, who were also possessed of great power, but were unwilling to make such a barter in favour of the people. It must be observed, likewise, that the dispensing power of the Crown was seldom exercised before the seventeenth century, unless on particular emergencies, and on the plea of necessity ; and it being then regarded as a power inherent in the Crown, it was more readily overlooked. Our Monarchs, before the House of Tudor, were restrained by the Barons, and those after it by the House of Commons. The people, however, had, properly speaking, little liberty in our ancient governments, but progressively less

less as we retrograde to the time of our Saxon monarchs. This much may be sufficient to show the slow advancement of our constitution, the general abhorrence of the people to the absolute authority of our Kings, and the arbitrary power of the Barons ; which induced a strong propensity throughout the nation to the adoption of a republican form of government ; to be more fully considered in the subsequent Section.

## SECTION II

### ON THE ORIGIN AND PROGRESS OF REPUBLICAN PRINCIPLES IN BRITAIN.

40. By the time of Charles the First, there were two powerful motives, Liberty and Religion, that operated vigorously and steadily against the most exceptionable prerogatives of the Crown. By that time, men had made great advancement in the arts, sciences, philosophy, and

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commerce ;

commerce ; and the rights of men being better understood, they had likewise improved in their ideas of government. The lower ranks of the people, who are incapable of deep reasoning, or accurate judgement on theological subjects, are yet capable of the highest degree of fervour in their devotions. From the time of the Reformation, these men, of mean understanding, working themselves up to the highest degree of fanaticism and superstition, were carried at last to such a height of delusion, as to imagine that they were divinely inspired. This shows, with what ease ghostly, hypocritical, designing men, may, under the pretence of religious grievances, lead the multitude into the greatest enormities against Church and State. Such men, led on by persons endued with great military talents, were capable of executing almost any design or plan of Reformation ; for they were impressed with the idea, that, if they fell in battle, they should die martyrs in defence of their religion. They were  
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men of this singular character, that were led on by the political and religious Puritans, in the time of Charles the First, who made religious grievances, and the extirpation of Popery, the pretexts for overturning the established government of these kingdoms.

41. At this time, the grievances of which the nation complained, were considerable ; the obstinacy of the King, in maintaining the prerogatives of the Crown, derived from his ancestors, and become incompatible with the spirit of freedom which then prevailed, united the majority of the nation against the administration. In the long Parliament, at its commencement were many men of abilities, who were royalists, and whose views went no farther than to abolish the most exceptionable prerogatives of the Crown, and to establish such a limited monarchy as might give security and freedom to the subject. But they were greatly outnumbered by the political and religious Puri-



tans, who were likewise men of considerable talents, but whose uniform plan of politics was to abolish the ancient government, and in its place to establish a republic. These men, who had assumed great latitude in their theological principles and practice, (widely different from those of the Established Church, which they in the end abolished), thought they had a right to take the same liberty in reforming, or rather overturning the ancient government. Their principles were propagated with such effect, and the current became so strong for a popular government, in all the three kingdoms, that the most established maxims of policy were everywhere abandoned, in order to gratify this ruling passion. This religious and political phrenzy became epidemical, especially among the middling and lower ranks of the people; every man was a saint, a soldier, and a politician; for their whole thoughts were engrossed with liberty of conscience, and equality of rank,

rank, with certain chimerical ideas of republican freedom.

42. These were not the avowed, but the secret motives of the Puritans in Parliament, which pushed them on to the most unwarrantable acts against the Royal prerogatives, and the constitution itself, till the breach became too wide for reconciliation, or for safety. Most of the Peers, and all among the Commons who had the least veneration for a limited Monarchy, perceiving the fixed and determined resolution of the Puritans to subvert entirely the ancient constitution, joined the King's party; by which the Parliament was left without controul. In this state, little or no opposition being made to their irregular and violent measures, they pushed matters, by force of arms, to the utmost extremity against the King. They inflamed the majority of the nation against Monarchy and Episcopacy, by holding out their idols, liberty of conscience, and a free constitution.

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They likewise pointed out to the people the splendour and eminence of the Dutch Commonwealth, where liberty so happily supported industry, and thereby excited, in the commercial part of the nation, a desire of seeing a similar form of government established in England.

43. Another great source of republican principles which had been gradually increasing for a considerable time, prior to the accession of James the First, but, soon after that period, broke out with greater force and effect, was to be found principally in cities and incorporated towns. In ancient times, and for several centuries after their first institution, a very different and opposite policy prevailed; for the municipalities of cities, and the citizens themselves, adhered to the Crown for mutual protection against the power of the Barons. But since the Reformation, it has been observed, that the government of cities, even under absolute monarchies,

narchies, is commonly republican. The natural independence of citizens ; the election of the Magistrates by whom they are governed ; the exclusive management of their revenue ; the enacting of by-laws for the management of their business as a corporation, and for the establishment of their police ; with other powers and privileges derived from their charter ; have a considerable tendency to bias their minds more to a republican, than a monarchical government. This propensity was sometimes counteracted in cities within the diocese of an Archbishop or Bishop, whose example and interest with the inhabitants, along with the Episcopal form of worship, attached them to monarchy.

44. In maritime cities and towns, where the duties on imports and exports are daily transacted, and paid with more or less reluctance by the traders, there is a general inclination to smuggling, when it can be done with safety.

safety. The small traffickers, with inadequate capitals, risk most, and are the greatest sufferers in these illicit transactions. This raises a general outcry against duties, and the government who impose them. They consider not the exigencies of the state ; nor do they seem to comprehend, that, if there were no duties, no advantage could arise from smuggling. This general discontent amongst the small traffickers, masters of ships, sailors, and lower ranks in sea-port towns, incline them to favour such insurrections as are likely to bring about an alteration in the government,

45. As such assertions require the testimony of experience in confirmation of their truth, I shall here give, in the first place, a fact stated by Aristotle, who observed, that the merchants and mariners of the Piræus of Athens, were of a more democratic turn and spirit than those of the Upper Town. \* This propensity

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\* Polyb. lib. V. cap. 3.

propensity to democracy, I apprehend to have been more or less the genius of mariners in all ages. The government of the Phoenicians, and afterwards of the Carthaginians, the two most considerable maritime states of antiquity, were chiefly democratical. The government of a trading vessel at sea, resembles, in some degree, that of a commonwealth, notwithstanding the master and his mate, or mates, give the law to the sailors who navigate the ship. There is here, no doubt, a subordination both of rank and power ; but, with the exception of sometimes a refractory or mutinous individual, the sailors know, and do their duty. They live as one family, and are so much together, that it begets a familiarity among them, and an approach to an equality, similar to that which is sought after in a republic. In times of commotion, tending towards a revolution, such men are easily brought over to join the malcontent party. This tendency of the inhabitants of sea-port towns to republicanism,

publicanism, is strongly exemplified in the part they took at the commencement of the civil wars in the time of Charles the First. At that time, the whole of the sea-port towns in England (except Newcastle, \* which was constrained to acknowledge the authority of the King by the powerful influence of the Marquis of Newcastle), with the sailors belonging to them, joined the Parliament. It must, however, be remarked, that this democratic spirit in sailors, acts not constantly and uniformly among them ; in times of tranquillity, it seems rather to lye dormant, but, from the causes of discontent, and manner of life just mentioned, is apt to break out in times of commotion.

46. Every Christian sect seceding from the established worship, affects a greater purity of manners, and a more punctual observance  
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\* Hume's History of England, vol. VI. p. 496.

of the form of religion, than the less rigid members of the established Church. In former times, when the penal laws against nonconformists were kept in force, all these people, from the severity of the government in this respect, became republicans. But, since a general toleration has taken place, and every one is allowed, without molestation, to worship God in the way most agreeable to the dictates of his conscience, the republican principles of these sectaries, and their rancour against government, have in a great degree evaporated. This change is most remarkable among several of their pastors, and some of the more moderate of their congregations, who, sensible of the mild administration under which they live, and by which they are protected, are perfectly reconciled to our monarchical form of government. Many of the more ignorant, however, who, from their incapability of judging rightly in the affairs of government, and a restless inquietude, wish for a reform in the constitution,



tion, the consequences of which they do not comprehend, too easily become converts to seditious declaimers. Most of them, however, are good and peaceable subjects ; but as these sectaries differ from each other, as well as from the national Church, any indiscreet interference with their religious principles, or form of worship, might prompt them to assume also an independence on the civil government.

47. These observations induce me most ardently to pray for a continuance of the same liberal indulgence towards nonconformists of every denomination, which they have for many years enjoyed. But, as they consist chiefly of the lower ranks of the people, who are easily impressed by designing men with the idea of supposed faults in the constitution and administration, and are in their minds extremely versatile, I should, from their great numbers, dread their combined influence in any popular commotion in the country for a reform in government.

ment. Though these nonconformists affect to have a Christian charity for one another, yet their great attachment to their particular sect, produces in them some degree of dislike to all those who differ from them in articles of faith and mode of worship. It is this difference of opinion, which arises sometimes in weak minds to animosity, that secures the government against their attacks ; for, from their jarring opinions, they have never yet been brought to act in concert.

48. There are other sources of sedition, which cannot perhaps be reduced to any particular head ; some men, for example, from a weakness of mind, and irritability of temper, have, in every period of history, discovered a propensity to find fault with the times in which they live. They seem dissatisfied with their situation, and complain, that proper attention is not paid to men of merit and abilities (meaning themselves) ; they act,

in society, like so many inflammatory hand-bills, never failing in loud and seditious complaints against the government. Their harangues are eagerly listened to by men reduced by their imprudence to poverty, and who, without the requisite merits for preferment, think themselves, in this respect, aggrieved, because they are disappointed; and, by these declamations, draw along with them, in their discontent, many weak but turbulent spirits. In peaceful times, these men usually resort to public disputing societies, as was the Robin Hood in London, and the Pantheon in Edinburgh, which, like others of a similar nature, are deservedly held as seminaries of irreligion and sedition. There they have an opportunity of indulging, in the fullest manner, their animosity against the church and our religion. In times of sedition, they usually form themselves into clubs, of a most dangerous tendency, not only from their inflaming one another with the keenest animosity against the civil government, but from  
their

their concerting, under oaths of secrecy, their plan for overturning it, under the pretext of a reform.

49. The youth, or man, who pretends not to more knowledge than he possesses, but, to open the door to instruction, affects ignorance of the subject he wishes fully to understand, will advance faster, in every species of information, than those of a contrary character. A conceit of the little knowledge a man may have attained, is more general than the modest silence of the few who wish to be informed. Criticism is the favourite employment of the ignorant conceited man ; by it he indulges his vanity, in a display of his knowledge, which too often affords the strongest proof of his ignorance on the subject with which he presumes he is so well acquainted. Men of this character generally take the lead, and are the oracles and orators, in all large societies of the lower ranks, which, in politics,

usually lead to error, misinformation, and discontent. This we perceive to be, for the most part, the case, in all places where extensive manufactures are carried on by a vast number of hands, who, after work in the evening, solace themselves in public-houses with the discussion of politics. They know, that the laws to which they are amenable, in cases of trespasses or crimes, likewise bind his Lordship; but the consciousness of equality; in this respect, with the highest ranks in the state, induces in them a levelling, democratical spirit. This is a licentious abuse of that liberty which the constitution has justly conveyed to them; and we know, from experience, that they lose no opportunity of discovering that strong propensity to the abuse of power, which usually accompanies weak and violent men.

50. From these unquestionable facts, it appears how much it is the duty of every good subject to repress, by gentle and persuasive

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five means, this dangerous species of liberty, properly termed licentiousness, so inimical in its nature to all good order in a state. These deluded men, poisoned with the principles of sedition by crafty knaves, who hope to rise to consequence in the overturn of the state, tell us, that our constitution is faulty, and that it ought to be amended; and when they proceed no farther, they speak the words of truth; for no human institution ever was or can be perfect. Even, on the supposition of a constitution being framed as free from error as human wisdom could devise, and that it was so happily calculated for the government of a free people, as to command the approbation of all good men, yet such a constitution could not certainly exist long in that state. For ages, which produce so many changes in the condition of a nation, will, from time to time, require new laws, the repeal of old statutes, or such other alterations as shall more precisely correspond with the then state of the common-

wealth. The true value, however, of a constitution, like all other things, can be known only by comparison ; and if these men can say, with truth, that there is a better in Europe, or perhaps in the world, than our own, they should point it out ; but this is, perhaps, too arduous a task to be attempted.

51. If this shall be found to be the case, then why try so dangerous an experiment ? Let us rather proceed in the usual slow and cautious, but more safe method, practised since the Revolution, of rectifying errors, abridging obnoxious privileges, and preserving, in their utmost extent, the laws relative to the security of the person and property of the subject. But such a method of reform suits not the selfish ringleaders of the multitude, who excite the people to resist and disturb the political order of the state, in search of that liberty they already enjoy, but abuse, by their endeavours to extend it farther than the law or the good

good of the commonwealth permits. This abuse of one of the greatest blessings of men, must render them unhappy, from the suspicion of detection ; and subjects them to punishment, when their criminal practices are discovered. In these unhappy situations, when brought to trial, their favourite exclamation is, that they are oppressed by the hand of power ; whereas nothing is done but in execution of the law against specified crimes, without which no government could exist,

52. It is indeed much to be regretted, that these unfortunate, infatuated people, listen not to the voice and example of the sage, the learned, and the experienced, in promoting peace and good order in the state, which is the life and soul of domestic happiness. Many of these dupes to artful and designing men, from ignorance and incapacity, comprehend not the principles on which true freedom ought to be founded ; but, in their place, adopt the fed-



tious maxims and instructions of their preceptors. They receive advice with reluctance and suspicion, as if offered with a design to prevent their rising into some consequence. Nor do they foresee, that if they were to succeed in the overturn of the constitution, their liberty, their religion, and their persons, the most valuable part of every man's inheritance, and especially of the poor, could not be better secured than at present. On the contrary, it is most likely that they would become the slaves, 'the hewers of wood, and drawers of water,' to their sanguinary and unprincipled leaders. The secrecy with which they conduct their affairs, and the silence they preserve, as to their connexion with the clubs of sedition, deprive well disposed men of such opportunities as might enable them to shew the evil tendency of their plan, and danger of their situation. But, in conversation with some of them, I have always observed an inflexible, obstinate adherence

adherence to the principles of their demagogues ; and that they reject advice, as an affront offered to their understanding. Even when given by our Reverend pastors from the pulpit, with the most Christian charity for their misconduct, they brand it with the name of bringing politics to the house of God ; though the good man has gone no farther, perhaps, than to recommend peace and harmony among us, and to give Cæsar his due.

53. Previous to 1775, our constant intercourse, in the way of trade, with our American colonies, a majority of whose inhabitants, descended from the republicans of last century, had still retained a predilection for that form of government, gave a favourable opinion of it to some of our merchants and mariners. Many years previous to the period just mentioned, a strong disposition was observed in the opulent inhabitants of the colonies to throw off their dependence on the mother country,

country, which, at last, from some unpopular acts of the Legislature, broke out into an open revolt. The war with our colonies produced in this country many republicans, who seemed to increase in number with the success of the Americans, and was the occasion of some migrations from Britain and Ireland to that part of the world. I shall pass over a detail of the bad effects on the people and government of France, which the assistance that country gave to the Americans most certainly produced, as I mean here merely to remark the increase of republican and democratical principles in Britain, from the commencement of the rebellion in France,

54. It is to these two circumstances, the war with our colonies, and afterwards with the French, that so general a spirit, among the lower ranks of the people in this country, for democracy, have been usually ascribed; and it is evident, that in this way they have had considerable

considerable effects. But it is equally certain, that they are not the sole origin of this unhappy spirit, which is undoubtedly nurtured and cherished by the several causes mentioned in the preceding paragraphs, and especially by the numerous hands employed in the extensive manufactures of the country. I have already attempted to show, how these men, from high wages, being too much at their ease, endeavour, with vehemence and passion, over their exhilarating liquor, to inflame one another with discontent, by a false representation of their situation, of the constitution, and of the conduct of ministers. It is unnecessary to enlarge farther on this subject; but I cannot help expressing my most hearty regret, that the flourishing state of our manufactures and commerce, the great sources of our wealth and power, should also be productive of so much evil in the commonwealth.

55. Active young men of genius, in easy circumstances, usually take to the study of one of the learned professions, and often rise to eminence in the line of study they have embraced. There are others, equal in mental abilities, but who, from a less fortunate situation, or a particular turn of mind, commonly denominated genius, prefer some mechanical employment, and, when arduous and persevering in the pursuit, either become useful inventors, or considerable improvers of the arts in which they are engaged. When these artists are men of judgment, they seldom speculate, but on *data* well-founded, and from which their success is easily demonstrable; of course they, in a few years, become opulent and independent, useful to their country, and respected by all ranks of men. The avocation in which they are chiefly engaged, is not always sufficient to employ their vacant hours, which they commonly fill up with other studies. They amuse themselves, by getting acquainted

quainted with the arts of others, become general scholars, or at least general readers, and often politicians; in which character, from their known abilities in other respects, they are frequently followed by the multitude. Happy it is for the country, when these men of genius are equally capable of judging in the affairs of government, as they have shown themselves to be in the art or manufacture, which has raised their reputation so high with the public.

56. It sometimes happens, however, that these men, from an unaccountable caprice, an affectation of singularity, or the vanity of being esteemed the oracles of the crowd, from which foibles men of abilities are not always exempt, \* become severe, and sometimes successful

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\* A Jesuit, who had, as a missionary, lived among the Indians of Paraguay for upwards of twenty years, was asked, on his return to Europe, by one of his brethren,

cessful critics on administration. For, what administration exists, or ever did exist, in any part of the world, whose conduct was so perfectly wise and correct, as to be held blameless by all men? Such a phenomenon, from the nature of man, is impossible. Errors in government must sometimes happen from accidents which could not be foreseen; in the immense field of operations in the different departments of business in the state, some oversight will take place; and the minister, however patriotic, will sometimes be compelled to throw a *douceur* to a man of abilities and influence in the country. This way of obtaining influence is called corruption; but it is well known, that without such influence, the  
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ren, how he, a man of genius and learning, could submit to live for such a length of time among savages? The missionary answered, That his surprise would cease, did he know but half the pride and enjoyment a man has in being followed everywhere by thousands, who worship and adore him.

several operations of government could not be smoothly carried on. The fault here, when viewed in its proper light, lies not so much with the minister, who is under compulsion, as with the man who refuses his aid, unless some compensation is made for his trouble and loss of time; which, if employed in an office of responsibility, turns out to be no fault at all. Errors such as these, and perhaps a few still more exceptionable, will unavoidably occur in every government; but where they are fewest, and least hurtful to the state, we may suppose the administration to be carried on, as well as the general selfishness of man will admit.

57. I argue not here against opposition to ministers; for without it, the ablest of them would fall into gross blunders, as appears from the corrections and modifications of many of their motions, by the independent men of abilities in both Houses. In every Parliament, there



there is a combination of men, usually styled the Opposition, whose direct views are to displace the Administration, that they may get into their places ; and, to obtain their end, watch every step of the minister with the greatest vigilance. It is the settled plan of these gentlemen to oppose, right or wrong, every motion of the minister, unless where it would lead to absurdity ; but from the keenness of their opposition, they keep ministers on their guard, detect errors, and are in these ways of great use. But it is chiefly to independent men of judgment we must look for a cool and dispassionate discussion of public affairs in Parliament. There are men of capacity and great discernment, not in parliament, well acquainted with its privileges, and the history of our constitution, who are likewise capable of giving useful information to the legislative body, as well as to the public. In their publications, however, I must confess, that I wish rather to see argument than invective, or that species of attack against administration,

administration, so apt to create discontent among the people. No objection can lye against the minister being roughly handled on the commission of gross errors ; but unavoidable mistakes ought to be overlooked ; for much mischief often arises from keen declamation, on trifling subjects, among illiberal men. Happy would it be for the nation, were more good temper and moderation shown between contending parties ; for this would be a true criterion of the prevalence of virtue and good morals among a free people.

## SECTION III.

THE SLAVISH CONDITION OF THE NATION, UNDER THE ARBITRARY POWER OF OUR KINGS, BARONS, AND THE CHURCH OF ROME, REMOVED BY THE REVOLUTION. — THE BAD EFFECTS OF DESPOTISM IN PRINCES AND STATES THROUGHOUT EUROPE.

58. IN the preceding Section are mentioned the principal causes which have inclined the inhabitants of this country to a republican government, from the first dawning of the Reformation to this day. Prior to the above period, our Kings, from the power they assumed, of dispensing with the laws, and of giving their proclamations the force of statutes, were in every sense of the word despotic. The privileges of the Barons were considerable; but the illegal power which they exercised over their vassals, tenants, and retainers, rendered their condition little better than that of slaves.

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To complete their unhappy situation, to the exercise of this aristocratical power over their persons, we must add the tyranny of the Church of Rome over their consciences. But if to both these species of bondage, all appear to have submitted, with that facility and apathy which surprise the present generation, we may with certainty conclude them to have had no just idea of liberty and security.

59. It was not till after a vigorous exertion of their minds, in detecting the errors of the Church of Rome at the Reformation, that the same excitement showed the abject state in which they had always been kept by their Kings and the Barons. They then began to have some idea of their natural rights, and to perceive the illegality of those oppressive measures that had been constantly used, to continue their slavish dependence on these two powers. They saw that, notwithstanding the many laws enacted in their favour, they were still enslaved

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by the arbitrary mandates of the Crown, and by the more oppressive power of the Barons, but were unable to carry through any effectual plan for their relief. The power of the King, and of the Nobles, had, by long usage, and the acquiescence of a submissive populace, acquired such stability, that several ill-concerted insurrections of the people, for a redress of grievances, were soon and easily suppressed. It was not till the reformed religion had become the national Church, and that the despotic power of the family of Tudor was at an end, that the people at large thought seriously of overturning the government, and establishing another in its place.

60. But the minds of men being once roused to shake off their fetters, the cry of liberty and equality had irresistible charms, in fixing their resolution to abolish monarchy; and, with an equal zeal against the hierarchy, to establish in religion a general toleration.

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These two points, so much the objects of their wishes, they obtained under Cromwell; but the unceasing praises of ancient republics, as well as the example, in modern times, of several small states of Europe, particularly of Holland, made them choose a commonwealth. Neither the independent spirit, however, of the numerous fanatical sects, which then arose, nor the suppressed spirit of the royalists, could bear with patience the executive power in the hands of their equals, sometimes their inferiors, in point of rank, before they got into office. The consequence of this general discontent, was, a lurking disposition for royalty; which, from the despotic power assumed by Cromwell, gradually gained such strength, that his deposition was prevented only by his opportune death.

61. By this time, the secret murmurs of the people against the government had crept into the army itself, which favoured the more

open exclamations for the restoration of the King. This was soon accomplished, with such extravagant demonstrations of joy, as seemed the united voice of the whole nation, in exultation for the apparently happy change of their condition. Charles's exterior accomplishments were so remarkable, that he was esteemed the most agreeable man, on every occasion, in his kingdom. By his bewitching address, and happy manner of expressing himself, he became so popular, that it was some time before his strong desire for arbitrary power was discovered. This proneness to despotism was one of the greatest blemishes in the character of Charles, who, while endeavouring to hide it from his subjects, was soliciting foreign aid to accomplish his design, and even exercised the dispensing power of the Crown. His less prudent brother James, more open in his measures for the establishment of the Roman Catholic religion, and less circumspect in his declarations of maintaining the ancient prerogatives of the Crown,

Crown, by which he hoped to reign as an absolute Prince, brought about the revolution.

62. This fortunate event in the annals of Britain, began the happy æra of true freedom : for, by the Bill of Rights, the power of the King to dispense with the laws, and of making his proclamations equivalent to acts of the legislature, were for ever annulled. Other obnoxious prerogatives were at the same time abolished, and the power of the Crown reduced to that of an executive officer of the state, with a negative, not now exercised, on the passing of acts of parliament. Though the prerogatives of the Crown were, by the Bill of Rights, greatly abridged, yet, by subsequent acts of parliament, they have undergone still further limitations, and their extent is now pretty well known. The privileges of both Houses of parliament were thereby much enlarged, and have since, by various resolutions and acts, been gradually increased, particularly those of the

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the House of Commons, the limits of whose powers cannot easily be ascertained. The liberty the Commons have assumed, of augmenting their privileges, as prompted by circumstances, is considered an excellent part of our constitution ; as power ought to lye chiefly with that body which has the custody of the national purse. The fiction in law, that the King could do no harm, was, previous to the revolution, ill-founded, and contrary to fact ; as they often acted directly against particular statutes, and sometimes as if they were above all law. But, at present, we may acquiesce in the fiction, without any breach of truth ; as it is well known that our Kings act solely by the advice of their Privy Council, who, as well as the Parliament, are supposed to be the guardians of the constitution. The most delightful prerogative of the Crown, and that which must afford the highest degree of pleasure to a humane monarch, is that of mitigating the severity of the laws to unfortunate criminals.

minals. Though, in all such cases, the King appears to act alone, yet, on most occasions, reasons are supposed to be suggested by his ministers for the exercise of this power.

63. I cannot proceed farther, without humbly requesting my reader's excuse for this brief account of the several changes which have taken place in our constitution, from the beginning of the seventeenth century to the present time. This has no doubt been given better and more fully in every reputable history of Britain ; but, without such a short glance at the several forms of government, adopted at different periods in this country, the subsequent comparison of their merits could not be so readily comprehended. The government of our Kings before the Revolution was most unquestionably despotic, and considered as incompatible with freedom. Though, in ancient times, this absolute power of the Crown, in the several kingdoms of Europe, appears to us to have been

been intolerable, yet the people bore it with some degree of complacency; because they never had experienced the sweets of liberty, and had been accustomed, time immemorial, to the imperious mandates of their immediate superiors. It was not the Reformation alone, that excited men to inquire into their rights, civil and ecclesiastical: these inquiries were greatly promoted, and nations became more civilized, by a communication with each other in the way of trade. This commercial intercourse has been gradually increasing for some centuries throughout Europe; during which time, arts and sciences have been much studied and improved, and an enlargement of the faculties of the mind, liberality of sentiment, and a spirit of freedom, invariably promoted.

64. From this exercise given to the powers of the mind, and from an increased number of seminaries of learning and of arts throughout Europe,

Europe, men in every age became progressively more enlightened. This could not escape the observation of monarchs, or their more discerning ministers; and where a spirit of inquiry into the rights of Kings, and those of the people, had arisen, and was perceived to increase, the unavoidable consequence was a relaxation of despotism. This unnatural form of government, though exercised with more mildness than formerly, yet being naturally repugnant to the mind of man, probably gave rise to several small republics, now governed by aristocracies. Kings and Princes seem to have caught the same spirit, when they shook off their dependence on the Church of Rome. The independence of the nobles, and loud murmurs of the people, in Spain and Portugal, have reduced the iniquitous power of the Inquisition to such a degree, as to render it little more than a civil court, for petty crimes and trespasses. But, wherever absolute monarchy is firmly established, no man can say that he

is perfectly free, or his property secure; and must always be liable to the capricious mandates of his superior, or of the court. To dwell under the despotic power of one man, where some few privileges have been granted to the nobles, but refused to the lower ranks, is to live in a country without a constitution. Tyranny, however, it is to be hoped, will in time disappear in every country capable of enjoying true freedom.

65. The Kings of Scotland, however desirous they might be of becoming despotic, were never permitted, from the opposition of the Barons, to carry absolute power to any considerable extent. But the family of Stuart, after James's accession to the Crown of England, endeavoured to maintain not only the hereditary indefeasible right of Kings, but to preserve, in their utmost extent, the most vexatious prerogatives of the despotic family of Tudor.

Tudor. They knew not, or were unwilling to perceive, that a wonderful change had taken place in the minds of the people of this country, in regard to government; and that they smiled with derision at the idea of a divine right in Kings. They saw that the King, as the father of his people, and the executive officer of the state, could be, in these respects, no more than a servant of the public, vested with Royal dignity, powers and prerogatives, consistent with the liberty of the subject. Had either Charles the First, or his son James, wisely yielded to the pressure of the times, they would have soon found, that, by giving up every obnoxious prerogative, the constitution would have been thereby meliorated, their subjects made more happy, and themselves more illustrious and powerful, than any of their predecessors. But, by adhering to the impressions, received in their early education, of the hereditary, indefeasible, and divine right of Kings, and their being strongly infected with a passion

passion for absolute power, persisted in with stedfast and almost incredible obstinacy, brought about the martyrdom of the one, and the banishment of the other from these kingdoms.

66. A silent spirit of discontent, similar to that which existed in Britain about the beginning of the seventeenth century, was observed among the inhabitants of most of the kingdoms and principalities of Europe, for some years previous to the late wars with France. The lower classes of the people had similar objects in view at both these times of discontent; they found themselves oppressed by the arbitrary government of their Princes, or the aristocratical power of their Nobles, and sighed in silence for freedom. But the watchful eye of the Prince, and the vigilance of the executive officers of the state, so effectually suppressed every tendency to commotion in favour of freedom, that the subject was obliged reluctantly to bear with patience the accustomed tyranny of his lord.

lord. Some gentlemen of this country, who travelled through France and Germany previous to the American war, had observed a latent disposition in the people in both countries, particularly in France, to shake off the slavish bondage under which they were held. From this growing discontent with their situation, it was clearly foreseen and foretold, that the people of France would seize the first favourable opportunity of bringing about a revolution in church and state.

67. The influence which their connexion, as allies with the Americans, had in diffusing a spirit for liberty throughout France, and the subsequent disorder in their finances, which brought about the revolution, is too well known, to require here any particular discussion. This alliance with our American colonies, had no doubt a very considerable effect in keeping up an universal discontent throughout France against their form of government. The troops,  
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on their return from America, were found to be converts to the republican principles of the people, whose independence they had contributed to establish ; and, wherever they went, acted as so many hand-bills for a change in the constitution. But the impolitic measure of the Court of France, in sending their troops to that republican school, was not the sole cause of the subsequent revolution in their own country. For, as the minds of men in France gradually opened to the discovery of their natural rights in society, they bore, with increasing reluctance and impatience, the oppression of the privileged orders. As the privileges and immunities of the Nobles and dignified Clergy were unjust and unreasonable, so were they inconsistent with the freedom and happiness of the people, whose rancour against them, on that account, from the commencement of their contest with the Crown, became every day higher and more irresistible. The Nobles, like Kings and Sovereign Princes, who had acquired prerogatives

rogatives and privileges in the days of ignorance, to the prejudice of the lower ranks, knew not how, or were unwilling, to yield to the storm that was arising, to level them with the meanest peasant. So tenacious were they of their hereditary power and privileges, anciently obtained by the rigid exercise of the feudal system, that they shut their eyes to the rising spirit for freedom, till it was too late. For, after leave was granted by the King to double the number of the Third Estate, the Nobles and Clergy had scarcely time to deliberate, before they and their Monarch were involved in utter ruin.

68. The same causes appear to have operated strongly on the minds of the inhabitants of Germany and of Italy, with similar effects, a hatred to the oppression of arbitrary power, and an ardent desire for freedom. The patience with which severe servitude was formerly borne, under the feudal laws and arbitrary

power, was now almost exhausted ; and, of course, it required judgement and address in monarchs to continue in force the ancient constitutions. But very little address was used to conciliate the minds of the people ; they were often, after unsuccessful remonstrances, irritated to rebellion itself, on account of alterations and innovations in their civil and religious rights established by law. This was precisely the case, several years ago, with the inhabitants of the Austrian Netherlands, who were obliged, repeatedly, and for several years, to fly to arms, to defend themselves against the tyranny of the Emperor Joseph the Second, and his successor Leopold. These quarrels, disputed with so much heat and obstinacy, between the Emperor Joseph and his subjects in Flanders, were the more provoking, as the alterations he wished to make on their constitutions were of a trifling nature, calculated rather to gratify his humour, than to augment his power. But as the eyes of all Europe were  
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on Joseph and Leopold, in these transactions with the Brabanters, they gave an additional stimulus to the increasing spirit for freedom, and a dislike to despots.

69. Arbitrary power, in whatever way we view it, whether in a civil or religious sense, must be extremely obnoxious to minds, capable of correctly conceiving the natural rights of mankind. But a question, which I have often revolved in my mind, is, whether the despotic power of a temporal Prince, or that of the Church, has been most destructive of happiness among mankind. In the comparison of the evils which have accrued from these two species of tyranny, I have always ascribed more baneful consequences to man, from the aristocratical power of the Church, than to the tyranny of despotic Princes. I mean not, here, particularly to find fault with the Roman Catholic religion, though it may have deviated in some articles from the original simplicity of the

primitive Church ; for that religion cannot be radically bad, that has been practised for many centuries, by so great a number of learned, wise, and pious men. It is the constitution of their Church that is most to be blamed, with a principal Bishop and his Council of Cardinals, ten thousand subordinate Archbishops, Bishops, and other dignified ecclesiastics, with such large revenues, as are incompatible with the true spirit of Christianity. I shall pass by the consideration of their hierarchy, which is most artfully framed for the assumption and maintenance of power over the consciences of its votaries. \* But these dignitaries of the Church, from

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\* The history of the Church of Rome shows such an assumption of power, anciently, as could only arise from the grossest ignorance of the people, and the most consummate art in the hierarchy, to force a veneration and blind obedience to her mandates. In those days, the Popes arrogated to themselves an absolute right of disposing of all the Christian kingdoms of the earth ; and no King, or even Emperor, thought his title secure, till

from their clerical character, their authority as temporal lords, and their wealth, had more influence in civil and temporal affairs, than was consistent with the prosperity of the country in which they were established.

70. Many of these men have been learned, pious, charitable ; and discharged the duties of their office, in a most exemplary manner, with zeal and punctuality. But others of high rank in the Church have been impious, immoral, and dissipated, to the great scandal of their brethren, and dishonour of the religion they

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professed

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till he was crowned by the Pope, or his Legate ; but, after vouchsafing to put the crown on the head of the Prince, they have been known to kick it off with their foot, in token of his inferiority and nothingness, in comparison of the sacred person of the successor of Saint Peter. This humiliating farce was exhibited the day after Easter, in the 1191, by Pope Celestine the Third, in the 86th year of his age, when he placed the crown on the head of the Emperor Henry the Sixth. How has this mighty apostolical sovereignty now fallen !

professed and ought to have practised. The character of these men, sceptical writers lay hold of, not only to traduce, but wickedly to attack religion itself, with all the wit, humour, sarcasm, and flimsy argument in their power. The aristocratical power of the great beneficiaries of the Church has often been as hurtful to the subject, as that of the temporal Lords; and the frequent occasions their dissolute and scandalous lives afforded to Deists and Atheists, to promulgate a disbelief of our faith, has had the worst of all consequences. Even under a despotic Prince, though the subject may be deprived of his property, liberty, or life; yet this is so seldom exercised, unless after the commission of atrocious crimes, that the subjects at large are not without some degree of freedom and enjoyment in the fruits of their industry. But when you deprive a man of every prospect of future happiness after death, and tell him that at his exit from this world, he must sleep for ever, as if he never had been,

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how miserable do we thereby render him! However atrocious this doctrine may appear to the pious Christian, yet it is well known to have been systematically taught, as will appear in the following Section, with as much care as was ever bestowed on the most virtuous education.

#### **SECTION IV.**

**THE DOCTRINE OF THE ILLUMINATI, SYSTEMATICALLY PROPAGATED THROUGHOUT EUROPE BY THE GERMANS AND FRENCH, PRODUCTIVE OF ANARCHY, TERRORISM, AND IRRELIGION.**

71. MANY years prior to the commencement of our war with British America, a general discredit of the Christian religion was observed to take place throughout France, and in some parts of Germany. This was supposed to be owing to a laxity of manners, and disrespect



for the principles of our religion, in some of the dignified Roman Catholic clergy, who naturally drew into their practice and way of thinking, several of the higher orders of the state. Men who were ranked as philosophers, and were members of learned societies, were known to have a propensity to the prevailing incredulity, as appeared from several of their publications in the Paris Encyclopædia, Literary Journals, and other works. This irreligion had no doubt a tendency to disturb the operations of ministers ; but, during the many years in which it had subsisted, no person thought it possible thereby to overturn the government, till towards the eve of the French revolution.

72. This conversion, which they wrought on one another, to Deism, and in some to Atheism, took a more systematic form in Germany, where schools and preceptors were instituted to corrupt the youth of both sexes, by endeavouring to invalidate the proofs of our  
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holy religion. These seminaries of irreligion, which corresponded with one another, and with similar societies in France, being perceived by some of the Princes of Germany to have a tendency to disturb their governments, and the peace of society, were banished, particularly from Munich, their chief residence, by the Elector of Bavaria. Notwithstanding that other Princes followed his example, shutting up their schools, and prohibiting, in the strictest manner, the teaching of their detestable doctrines, yet they went on in secret to promulgate their principles. To accomplish this, they availed themselves of the secrecy observed in mason lodges, where their orators endeavoured, not only to undermine the principles of the Christian religion, but exclaimed vehemently against the despotic power of Princes. In these lodges, great parade was made in advancing individuals through many degrees of masonic science, unknown to the peaceable members of simple masonry.

73. The highest degree of these Seleusian mysteries, was the Illuminatus Major ; but they took not the designation of Illuminati, or that appellation was not given in general to the sect, till a few years before the breaking out of the rebellion in France. When this unfortunate circumstance took place, the most active agents against the King and the constitution of that devoted country, perceiving that the plan and practice of the Illuminati were excellently adapted to the diffusion through all countries of revolutionary principles in Church and State, they coalesced with them. A more complete relation of the doctrine of the Illuminati, with an account of their secret meetings, would no doubt afford much instruction, and give a clew to many of the late transactions in Europe, were I capable of the task. Fortunately, however, this is already done, much better than could be expected from me, by a gentleman of abilities greatly superior, and whose information on this subject is

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at least equal to that of any other person in Britain. It is to the learned and ingenious Mr John Robison, professor of natural philosophy, the world is indebted for ‘ Proofs of a Conspiracy against all the Religions and Governments of Europe.’ Our benevolent author is of opinion, that a publication of M. Toland, as far back as the 1720, under the title of *Pantheisticon, seu Celebratio Sodalitii Socratici*, bears a strong resemblance to the modern doctrine of Illuminatism; for therein is given the principles of a fraternity, which he calls *Socratici*, and the Brothers *Pantheistæ*. \* He afterwards proceeds to give us some account of the origin of the Illuminati, and the progressive increase of their votaries, till 1775, and until they came to be chiefly under the direction of Doctor Adam Weishaupt, professor of canon law in the University of Ingolstadt.

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\* Proofs of a Conspiracy, &c. page 48.

74. In the course of this work, occur the names of Nicholai, a man extremely active in favour of this sect, a printer, publisher, and reviewer of the discourses of the Illuminati at Berlin; Bafedow, master of an academy in the principality of Anhalt Dessau, an artful Deist or naturalist; Swack, a most worthless character, as a corrupt judge and counsellor; the ingenious, but very profligate Doctor Bahrd; all of them without religion, wicked, unprincipled, and in the highest degree hypocritical. Baron Knigge, and the Marquis of Constanza, with many others, were likewise brought into the vortex of Illuminatism. These men, and many more of this confederacy, known to one another, but unknown to the public, have been working for many years with great secrecy, each in his department, and with such a persevering keenness to gain proselytes, that, in 1784, there were in France no less than two hundred and sixty-six mason lodges, for the express purpose of propagating their

their doctrines, and increasfing their numbers. \* By this time, the tide of Illuminatism had spread over all France, and, every year, became more and more powerful, under the patronage of the Duke of Orleans, of infamous memory. A principal lodge, from which most of the others appear for some time to have taken their instructions, was fixed at Lyons, under the name of the Chevaliers Bienfaifants. But, in the course of the Revolution, another lodge sprung up at Paris, assuming a superiority of rank and authority over that at Lyons, and which was gradually refined into the Jacobin Club, under the auspices of the Bishop of Autun, and the Duke of Orleans. This struggle for power and influence, between the lodge of the Chevaliers Bienfaifants at Lyons, and the other at Paris, was carried on with great heat and animosity. They bore such an enmity to each other, particularly the Jacobins to the people of Lyons, and it is thought to have operated

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\* Proofs of a Conspiracy, &c. page 49.

operated so strongly on the minds of the former, as to have been the chief cause of the wicked and impolitic destruction of that great and opulent city.

75. Their pupils were carried through various steps in their masonic mysteries ; and, in some of their lodges, it is said, there were no less than twenty-five degrees of rank. In advancing through these different steps, the vanity of the candidate was indulged, by splendid and gaudy dresses. But the time requisite for passing individuals to the last degree in the lodges was extremely various, being regulated by the aptitude observed by the Illuminati, in their pupils, to become adepts in their sophistry. When novices, they had their private instructors; when afterwards raised to minervals, they had their mentors ; and these carried on a correspondence with a certain hidden tribunal, whom they never saw. Their next step, after being solemnly sworn, and having given incontestible

ble proofs of their attachment to the society and its doctrine, was to be admitted among the Illuminati Minores, and afterwards Illuminati Majores. But when arrived at this highest degree of honour, the secret conclave, to which they formerly looked up with so much reverence and respect, was observed to consist only of individuals. As the mentor was not only the instructor, but the judge of his pupil ; if he found that he could not prevail on him to gulp down the irreligion necessary for his advancement, he got what was called a *sta-bene*, and rose no higher. But, after all, the whole we can learn from the doctrine of the Illuminati is, that it appears to be most unquestionably calculated to render men as unhappy, as can possibly be effected by anarchy and irreligion.

76. It astonishes one, to observe the correct system of correspondence that was established between the lodges of Germany with each other, and likewise between those of  
France,



France, of which artful plan of correspondence the French constantly availed themselves. A club was established at Paris by the Jacobins, if I mistake not, under the name of the Propaganda, *quasi ad doctrinam Illuminatorum propagandam*, which subsisted so late as 1800, and whose business it was to send advice and instructions to similar societies in every principality of Europe. America and the West Indies had likewise their share of deputations from these clubs, by which means the seditious were kept in a constant ferment and rage against the civil government and hierarchy of every country. Like the Jesuits in former times, great pains was taken by them, for many years past, to push their brethren into places of trust and influence, particularly into the post-office, the municipalities of towns, the Church, and even into considerable offices in some of the first Courts on the Continent. But the most shocking part of their conduct has been their constant and uniform endeavour to alienate the minds

minds of the fair sex from every principle of religion, and to inculcate sensuality in its most extensive sense.

77. They courted the favour of the learned, by a false philosophy, published in books and pamphlets, to be found in their reading societies everywhere established, and strongly recommended by certain reviewers and publishers of newspapers, who were considered as staff-officers, with a suitable remuneration. The vulgar, who are incapable of detecting false reasoning, were seduced, by being told that they were in a double respect slaves, first to their Prince, and secondly to their Priests: by the one assertion they endeavoured to shake off their allegiance, by the other their religion. Wherever the government is despotic, the attachment of the subject to the Prince is easily removed; but the Christian religion takes such hold of the heart, unless in the most profligate characters,

characters, that I should imagine it difficult for them to succeed in the abolition of our creed.

78. Many of the Illuminati acted with as much eagerness in gaining proselytes, as if the success of their fraternity depended on their sole exertions. The unceasing activity of these men brought by degrees their plan of operations to be organized into a regular system, which established a hidden power and influence in every kingdom and principality of Europe. In consequence of which, the lodges of Alsace and Lorraine, with those of Spire and Worms, in 1791, invited Custine into Germany, and delivered Mentz into his hands. A similar spirit appears to have existed in the other parts of Germany, and in Italy, among the lower ranks, who knew not that they were running headlong into a worse species of government, than the bad one under which they lived. The words *liberty* and *equality* had such bewitching charms to those who had lived under

under the restraints of arbitrary power, that they received the French with open arms, and were the cause of considerable desertions from the Allied armies.

79. There were dispersed among the inhabitants of every country invaded by the French, manifestoes, declarations, and other papers; in which, after pointing out, in the most artful manner, that they were slaves, they solemnly protested, that they came, not to conquer, but to give them freedom and protection. Great pains were taken to disseminate these insidious publications among the troops with whom they were at war, in which were such flattering expressions of amity and brotherly love, that many of the poor soldiers were deceived, and fought with reluctance in the day of battle. Large quantities of these papers were conveyed into the enemy's lines some days before an engagement was expected, and with an effect that was experienced with

sadness and sorrow by the Austrian generals. \* The French have constantly and uniformly adhered to the same treacherous conduct, not only during their hostilities, but after the conclusion of the most solemn treaties of amity and peace. In proof of this assertion, we need only look to the humiliating state of the United Provinces, ruined and undone, in comparison of what they once were; and likewise to the Austrian Netherlands, sunk under the late French requisitions and martial law. What a downfall has the Republic of Venice sustained, after being robbed of her ships, of whatever was contained in her arsenals, of every thing that was valuable belonging to the state, or even to rich individuals,

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\* Without attempting to derogate from the abilities of the French generals, or the prowess of their soldiers, it is evident, that a great part of their success, in the war throughout Europe, must be ascribed to the circumstances just mentioned, of which the easy conquest of Holland, of Austrian Flanders, and other districts of Germany and Savoy, the Republics of Italy, and of Rome itself, are all incontestible proofs.

individuals, and, after all, bartered to the Emperor in exchange for other valuable possessions!

80. Though the almost incredible power, which the Popes once assumed and exercised over Christendom, has been declining for some centuries, yet, for the advantage of religion, there is still wanting some material alterations in the Romish hierarchy. This has been attempted by the French, and with some success, not from religious motives, but a desire of conquest and of gain. In the accomplishment of their work, however, they have executed a cruel vengeance on the Popes, Cardinals, Bishops, and inferior Clergy, in a manner peculiar to themselves, and not to be paralleled in history. Their unprovoked attack on the Swiss Cantons, after having lulled them asleep by professions of eternal amity and friendship, is a true specimen of their faith, solemnly pledged, and of their ardent desire to govern

Europe. All this they accomplish, by adhering strictly to the diabolical maxim of their teachers, the Illuminati, that the end justifies the means ; which has been the cause of the most numerous and cruel assassinations that have ever been perpetrated in any country. Their plan, at the beginning of the Revolution, and while the Jacobin Club bore sway in the National Assembly, was the complete extirpation of the Royalists, as appears from some publications at Paris in the 1795. \*

81. I most willingly quit this disagreeable subject, to show some apparent danger in the remains of the despotic power, anciently derived from the feudal system, and possessed, in

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\* *Vide* Mr Harper's Address to the American Colonies, page 63, where it is shown, that two millions unarmed were put to death, of whom two hundred and fifty thousand were women, two hundred and thirty thousand children, and twenty-four thousand priests, with such marks of wanton cruelty, as would shock the most savage monster.

a greater or less degree, by most of the potentates of Europe. This power of sovereign Princes, with such privileges of the Barons as tend to the oppression of the subject, must, according to the spirit of the times, yield, sooner or later, to the demands of the people, for a constitution more free and consistent with their happiness and security. The alienation of subjects from their Sovereign, and desertion to the enemy, which have lately taken place throughout Europe, must be chiefly ascribed to some radical fault in the nature of their government. The abolition of every species of feudal servitude, with such a body of good laws as would ensure freedom and security to the people, would be the strongest barrier that could possibly be raised against the encroachments and power of an enemy. The love and attachment which would naturally accrue to the Prince from the subject by such a conduct, would be more than an equivalent to the Sovereign, for what he might lose by the change ;



for that country is always the most prosperous, where there is the greatest freedom.

82. But experience shows, that the most perfect code of laws cannot be adopted by all nations with equal advantage. It must vary according to the genius of the people, the degree of civilization to which they have arrived, the prejudices in favour of certain ancient laws and customs, manner of life, climate, religion, trade, and other circumstances. Freedom, however, ought not to be given perhaps all at once, and to its full extent, to people accustomed to slavery; for, notwithstanding some individuals may be made free with advantage, yet it has been found, that the sudden emancipation of a nation of slaves is dangerous. But, in civilized countries, there can be no hazard in advancing the subject to freedom, as far as is consistent with the nature of their present government and police. The repealing old statutes, that bear hard on the subject, and

and the making new laws, after due deliberation, for the increase of freedom, without materially injuring the old constitution of the country, is perhaps the true secret of rendering subjects happy, by making them free by degrees. But the love of power, so congenial to man, keeps monarchs from viewing their true interest; they see not, that from freedom proceeds the prosperity of a country, as it inspires genius, and excites to industry; which begets wealth, power, and all the happy consequences that distinguish a free people from the slaves of despotic Princes. Through the whole of this treatise, I have endeavoured to reprobate the despotism of Princes, as inconsistent with the happiness of the subject and prosperity of the country. In tracing its bad effects in the dispensing power and other obnoxious prerogatives of our Kings, I was naturally led to consider the various sources from whence the republican principles of the people in this country, during the reign of the family of Stuart, chiefly

chiefly originated. In the succeeding Sections, it is proposed to take a short and impartial view of the merits of the ancient Grecian and Roman republics, and likewise of those of modern times, that, by a just comparison of them with the British constitution, it may be seen to which we ought to give the preference.

## SECTION V.

### A GENERAL VIEW OF THE CONSTITUTIONS OF THE REPUBLICS OF GREECE.

83. As government has been the study of mankind, in every nation, from the earliest ages to this day, so it may be asked, why that science has not been more improved than it in fact is, in the several empires and kingdoms of the world. In my youth, when the reading of history was prosecuted for improvement and amusement, this question  
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often occurred ; but to resolve it, was not then in my power. I have now, however, attempted the solution of this question in the Preface, and in fundry parts of the preceding Sections, to which I must refer ; for here I mean only, by way of illustration, to mention a few other facts, which have an evident tendency to obstruct any considerable improvement in government.

84. Genius, the degree of civilization, customs, usages, religion, climate, and other circumstances mentioned in the preceding paragraphs, have, no doubt, a decisive influence in fixing the character of the inhabitants of particular countries, and in inducing them to accommodate themselves to a peculiar constitution and government, suited to each. But these account not fully for the uninterrupted exercise of a despotic power, in most of the nations of Asia, and even in Europe, for thousands of years. To these predisposing causes  
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we must add, first, the force of an inordinate desire of power in monarchs, and their ministers, especially in Asia; which, like all other passions, gains strength by indulgence and long practice, till it becomes almost unconquerable: Secondly, the facility with which the indolent and cowardly inhabitants of warm climates are, by habit and example, brought to bear, without murmur, the highest degree of despotism in their Princes: And, thirdly, those exorbitant prerogatives of most of the potentates of Europe, and privileges of the Barons, derived from the ancient feudal system, but which are now found to be inconsistent with the freedom and security of the subject. Genius and judgment, so successfully employed in the improvement of arts and science, are of little avail in that of the government of despotic princes, being effectually counteracted by prejudice, inveterate habit, and the other causes just mentioned. These are, perhaps, the principal reasons why the absolute monarchies of  
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Asia have remained, in a great measure, stationary, for so many ages, and are so likely to continue, without any material alteration.

§5. From ancient history, and tradition, it appears, that the northern parts of Europe, long before they were visited by the Greeks or Romans, were divided into small kingdoms, or principalities, independent of each other, but sometimes confederated for attack or defence. Their princes, or chieftains, were, in times of peace, little more than civil magistrates; and in the field, generals of the armies. The people, however, were free, though subject to the laws, which were few, simple, and generally known; but in war, the men bearing arms were under military discipline. This species of government existed as late as the reign of Clovis, the Fourth or Fifth of the Merovingian race, who died in A. D. 511. As the only remuneration for the hardy adventurer in war, was, his maintenance, and share  
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of the booty taken in their warlike expeditions, he insisted on this last with the most scrupulous exactness, as will appear from the following circumstance.—The army of Clovis, composed of several independent tribes, in an expedition against Syagrius, plundered a church in the city of Rheims, and carried off, among other sacred utensils, a vase of extraordinary size and beauty. The Bishop sent deputies to Clovis, beseeching him to restore the vase, that it might again be employed in the sacred services to which it had been consecrated. Clovis desired the deputies to follow him to Soissons, as the booty was to be divided in that place; and promised, that if the lot should give him the disposal of the vase, he would grant what the Bishop desired. When he came to Soissons, and all the booty was placed in one great heap, in the middle of the army, Clovis entreated, that, before they made the division, they would give him that vase over and above his share.

share. All appeared willing to gratify the King, and to comply with his request; when a fierce and haughty foldier lifted up his battle-axe, and striking the vase with the utmost violence, cried out, with a loud voice, ‘ You shall receive nothing here but that to which the lot gives you a right;’ \* and in this brutal exertion of power, Clovis was induced, from prudence, to acquiesce.

86. Before the heroic ages, the Greeks were equally barbarous with the Germans, and other nations to the north; but after their first grand military exploit, the siege of Troy, about A. M. 2920., they became more civilized, and gradually improved in the arts of peace and of war. They were, like the Germans, divided into small states, which by degrees took the form of republics; but from their vicinity to Egypt, and the provinces of Asia, they soon acquired all the arts and learning of the East.

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\* Gregor. Turon. Hist. Francorum, lib. II. c. 27. p. 70. Par. 1610.



These republics being extremely jealous of one another, were kept in the constant exercise of their arms, and thereby became the bravest and best soldiers in the world: Witness the battles of Marathon, Salamis, Platea, Mycale, &c. This active, sprightly, ingenious people, with a language happily formed for every species of composition, soon showed themselves to be the greatest poets, historians, orators, philosophers, and artists, that, by history or tradition, had ever existed. These remarks, to which every one versant in the history of Greece must give his assent, show the influence which a spirit of freedom, in temperate climates, has in forming the characters of men. From the constant exercise given to the mental powers, in the several republics of Greece, struggling for freedom and independence, probably originated that superior genius for literature, and the arts, which shone forth in individuals. \*

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\* For a more particular explanation of this excitement of the mind, see the Treatise on Literature, &c. Sect. 2. paragraphs 39, 40, 41, 42.

87. Similar observations might be made on the inhabitants of Italy, said, by ancient tradition, to be descended chiefly from the Pelasgi, by several migrations of that people from Arcadia. They were likewise divided in the time of Numitor, and his successor Romulus, into a great number of petty states, probably independent of each other. The history of these people, prior to the time of Romulus, is chiefly traditional, and of course imperfect ; but not of much consequence in our present design, of examining into the merits of the republics of Greece and Rome. They probably, like the states of Greece, were independent till conquered, one after another, by the Romans, who were never without a pretext for invading, plundering, and robbing their neighbours, till they subdued the whole territory of Italy. This conquest took up near to four centuries ; whereas Philip of Macedon, and his son Alexander, acting each of them alone, unincumbered with the complex machinery of the Roman republic, overcame the states

of Greece in a few years. Having made these few general remarks, I shall proceed to take a short view of what I apprehend to have been the constitution of the republics of Greece, prior to their subjection under Philip and Alexander.

88. Though the constitutions of the ancient states of Greece, in Europe, under the name of republics, differed somewhat from each other in their laws and government ; yet democracy, with some degree of aristocracy, prevailed in all of them. It is true, there were in some states Kings, as at Sparta ; but their power seems to have been limited chiefly to the command of armies in war ; and they most likely had some honourable seat in their councils at home. But they were responsible for their conduct to the Ephori, by whose sentence they were sometimes expelled, or even put to death. The same tribunal abolished, or suspended the power of the other magistrates, calling them  
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them to account at pleasure. The authority of the Ephori was very great : they were entrusted with the public treasure, made war and peace ; and were so absolute, that Aristotle makes their government equal to the prerogatives of a monarchy. Like the other magistrates of the republic, they were elected by the people, as were the Archons at Athens ; who having discharged their duty with propriety, were, at the end of the year, assumed as members of the Areopagus, a supreme court ; but not with such extensive powers as the Ephori at Sparta.

89. The Amphictionic Council, held near the Straits of Thermopylæ, composed of deputies from the most considerable states of Greece, was somewhat similar to the Diet of the Empire in Germany, and was of great use. In this grand council, was considered every thing relative to the general prosperity of the whole : they deliberated on the means of defending the

country against a threatened foreign invasion ; and, by a final decision, settled differences between particular states. The natural aristocracy, in these republics, were the principal magistrates, of various denominations in different states ; the inferior officers for the year ; the distinguished orators ; men who had signalized themselves for bravery, and conduct in war ; and those individuals whose riches gave them an influence among the lower ranks. But this aristocracy was by no means a balance to the power of the people ; who elected their magistrates—had the appointment to most of the lucrative and honourable offices of the state—and had great and decisive influence in the accusation and condemnation of citizens.

90. The too great power vested in the people, by the constitutions of most of the republics in Greece, the wars in which they were so often engaged, and the frequent fluctuation of their magistracy, were the chief causes

causes that retarded their improvement in the art of government. ‘ In these turbulent republics, however free in theory, they were little acquainted with the benefits of practical liberty. Whether the nobles or people, or a prevailing faction of either ; whatever party in the state, obtained the chief administration ; their authority was almost alike oppressive and tyrannical. Alternately masters and slaves, those fierce republicans were either unable or unwilling to draw that decisive, and impervious line, between the powers of government and the liberty of the subject ; a line which forms the only solid barrier of an uniform, consistent, and rational freedom.’ \* But they had no notion of such a constitution. The word freedom, which had with them so many ideal charms, was little more than a licentious liberty in the exercise

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\* Gillies’s History of Greece, vol. II. p. 342. Dublin, 1786.

of their power, which they often abused, to the great detriment of the republic.

91. It was a common practice among the needy Athenians, who formed the most numerous class in the republic, to endeavour to alleviate their misery by a very criminal consolation, that of prosecuting their superiors, banishing them from their country, confiscating their estates, and treating them, on the slightest provocation, often without any provocation at all, with the utmost injustice and cruelty. This was so much the practice in Greece, that it was thought almost impossible for any person, who had served the state in any remarkable degree, particularly at Athens, to escape banishment. Rather than tire my reader with a multitude of examples, I shall endeavour to place in the Appendix, a list of the most remarkable statesmen and generals who were banished at the capricious nod of the populace. \* I cannot, however,

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\* *Vide* Appendix, No. 2.

however, resist mentioning here, a circumstance which happened previous to the banishment of Aristides, by the influence of Themistocles with the people, as an instance of their stupidity. One of the clowns, who had come from a village in the country, bringing a shell to Aristides, said to him, ‘ Write me Aristides upon this. ’ Aristides, surprised, asked him if he knew any ill of that Athenian ; or if he had ever done him any hurt ? ‘ Me hurt ! ’ said the fellow, ‘ No, I don’t so much as know him ; but I am weary and sick at heart, on hearing him everywhere called “ the just. ” ’ Aristides then took the shell, and wrote his name upon it ; and when informed, that the ostracism fell upon him, modestly retired out of the forum, saying, ‘ I beseech the Gods, that the Athenians may never see that day which shall force them to remember Aristides. ’ \*

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\* Encyclopædia Britannica, Edinburgh, 1797. Vol. II. p. 646.—The ostracism, that terrible practice of the Athenian



92. From what has been premised, and from the general history of Greece, it may be justly inferred, that a pure democracy, like that of Athens, Argos, and Carthage, must be the very worst form of government, if we make not despotism an exception. In these governments, the people, in whom resided the sovereign power, were insolent in prosperity, timid in adversity, cruel in anger, and in affliction, blind, and incapable of embracing steadily any prudent measure. A democracy is in its nature rash, violent, and fluctuating, as was the case with all the ancient democratical states of Greece, Carthage not excepted, though, in each of them, there were individuals of most extraordinary abilities, in the arts of war and of peace. Our modern idea of a commonwealth, governed by chosen magistrates,

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Athenian populace, appears to have been first instituted after the banishment of Hippias, son of Pisistrates, to prevent in future all attempts at the regal authority which they had assumed. Gillies's History of Greece, vol. I, p. 364.

strates, wherein there is established an equality among the citizens, is very different from a democracy where the mob alone rules. Most of the Grecian states appear to have been under this misfortune, from their commencement, till they were finally conquered by Alexander. The cause seems to have been, some radical faults in their constitutions, adopted in more early and barbarous times, when better suited to their rougher manners and customs. This idea is probable, and explains what was said by Solon, who, when asked, if the laws he had given to the Athenians were the best? replied, ' I have given them the best they were able to bear. '

93. On a superficial view of the history of Greece, we are apt to be surpris'd at such a number of small states preserving their independence for so many centuries. But when we come to consider, more attentively, the policy of the two most considerable, Sparta and

and Athens, extremely jealous of, and often at war with each other, our surprise ceases. When at open hostilities, the smaller republics were induced by interest, or compelled by force, to arrange themselves on the side of Athens, or of Sparta, till the end of the war. The success of these struggles for dominion, was various; sometimes on the side of the Spartans, and at other times on that of the Athenians. But such was the reciprocal jealousy of the two republics, that the losing party never ceased, in some future war, by every possible means, to re-establish the independence of the ally conquered in the former contest. Though this jealousy of these two rival republics was the means of preserving the independence of the smaller states, yet, in the end, it proved the ruin of Greece, as it kept them from being so firmly united, as effectually to oppose Philip and his son Alexander. It is unnecessary, here, to observe, that these two Monarchs, the most  
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consummate warriors and politicians of their age, did, by the exercise of their natural powers, by money, and by treachery, conquer the whole of Greece in a few years. These conquests, and those afterwards obtained in Asia, show with how much more efficacy, a Monarch, skilled in war, and in policy, can carry on his operations, than the general, who must wait for the slow determination of a council, a senate, or the people, some of whom may be privately adverse to his success.

94. A more circumstantial account of the constitutions of the several republics of Greece, than has been here given, belongs more particularly to a history of that country, than to our present design. If what I have shown is just enough to satisfy the candid reader, that a democracy is by no means calculated for a permanent and free government, it is sufficient for our present purpose. In like manner, I shall endeavour to take a short view of the republic  
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of Rome, from the time of the Kings of Rome to the establishment of the Empire. But this comprehends such a multiplicity of changes in their constitution, as makes me doubt of my capability of containing it in so short a space, as I have hitherto observed, in similar dissertations. As these observations, however, would be incomplete, without such remarks on the several changes and alterations on the jurisprudence and privileges of the Romans, as must show the fluctuating and unsettled state of their government on several occasions, I shall proceed to give them as concisely as possible.

S E C T I O N VI.

A PROGRESSIVE VIEW OF THE VARIOUS CHANGES  
IN THE CONSTITUTION OF THE ROMAN RE-  
PUBLIC, FROM THE KINGS OF ROME TO THE  
TIME OF THE GRACCHI.

95. THE Kings of Rome, from Romulus to Servius Tullius, were elected by the Senators and People, in which the former had the most considerable influence. The constitution at this time was a mixture of monarchy, aristocracy, and democracy; and great harmony appears to have existed among the different orders during the first five reigns. The Senate was possessed of considerable power, had a negative on every resolution or enactment, previous to its being laid before the people, and reserved to themselves the power of judging in all judicial proceedings.\* This constitution, however, was altered under Servius Tullius, † who

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\* Dionysius Halicarn. lib. IV. p. 276.

† Ibid. lib. IV. p. 229.

zens, and which gave them considerable influence in the political affairs of the state. The chief privileges left to the Consuls, were, to preside in the great meetings of the people, to assemble the Senate, and to command the armies. By the sacred laws, tribunes were established, \* who had a power, on all occasions, of checking the encroachments of the patricians, and preventing not only particular, but general injuries. By these gradual alterations on the constitution, adopted after the expulsion of Tarquin, the people acquired considerable powers in all public transactions.

97. The people of Rome were divided in three different manners, by centuries, by curiæ, and by tribes ; and when about to give their votes, were assembled and formed in one of these ways. In the first, the patricians ; the leading men ; the rich ; the Senate ; which were very nearly synonymous, had almost the whole authority :

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\* A. R. 260.

authority: In the second, they had less; and less still in the third. The division into centuries was a division rather of estates and fortunes, than of persons. The whole people were divided into a hundred and ninety-three centuries, which had each a single vote: the patricians and leading men composed the first ninety-eight centuries, and the other ninety-five consisted of the remainder of the citizens. In this division, therefore, the patricians were masters of the suffrages.\* In the division into curiæ, † the patricians had not the same advantages: some however they had; for it was necessary that the augurs should be consulted, who were under the direction of the patricians; and no proposal could be made there to the people, unless it had been previously laid before the Senate, and approved of by a *Senatusconsultum*. But in the division into tribes, they had nothing to do, either with

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\* Titus Livius, lib. I.

† Dionysius Halicar. lib. IX. p. 528.



the augurs, or with the decrees of the Senate; and the patricians were excluded. The people therefore endeavoured constantly to have those meetings by curiæ, which had been customary by centuries; and those by tribes, they used to have by curiæ; by which means, the direction of public affairs was in a great measure transferred from the patricians to the plebeians. Thus, when the plebeians obtained the power of judging the patricians, a power which commenced in the affair of Coriolanus,\* the plebeians insisted upon judging them by assemblies in tribes, and not in centuries; and when the new magistracies of tribunes and ædiles were established in favour of the people, the latter obtained, that they should meet by curiæ, in order to nominate them; and, after their power was quite settled, they gained so far their point, as to assemble by tribes to proceed to this nomination.

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\* Dionysius Halicar. lib. VII.

98. The people, during these struggles, alleging that the patricians, in their dispensation of the law, were capricious and arbitrary, insisted on having a body of written laws; and having prevailed in this contest, decemvirs were appointed, about A. R. 302,\* to compose those laws. These men were invested with extraordinary powers, that they might exercise the functions of all the different offices of the state. Thus, they found themselves invested with a consular and tribunician power: by the one, they had the privilege of assembling the senate, by the other the people; but they assembled neither senate nor people. While the decemvirs were in office, Rome saw herself enslaved by as cruel a ty-

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\* From the collection of laws made by the Triumvirs in Greece and other countries, the Ten Tables were this year finished; the year following, a supplement of two tables more were completed by the Decemvirs, who continued in office till Appius Claudius brought about the cruel immolation of Virginia, in the A. R. 304: Livy, lib. III. c. 37.

ranny as that of Tarquin. When Tarquin exercised his enormous oppressions, Rome was seized with indignation at the power he had usurped ; when the decemvirs exercised theirs, she was astonished at the power she had given. But the bloody spectacle of Virginia, whom her father immolated to Chastity and Liberty, put an end to the power of the decemvirs. Every man asserted his freedom, because every man had been injured ; each showed himself a citizen, because each had the tie of a parent. The senate and people reassumed a liberty which had been committed to ridiculous tyrants. But it must be remarked, that no people were so easily moved with spectacles as the Romans. The bloody body of Lucretia put an end to the regal government. The debtor, who appeared in the public market-place covered with wounds, caused an alteration in the law respecting these unfortunate people. The decemvirs owed their expulsion to the sight of Virginia. To condemn Manlius, it was necessary

sary to prevent the people from seeing the capitol. Cæsar's bloody garment turned the rage of the populace against the conspirators, and, in the end, established a race of Emperors.

99. During the reign of the decemvirs, from the terror of their despotism, all was quiet; but no sooner was their power abolished, and freedom restored, than the plebeians began their assaults on the patricians, which never ceased, till the latter were deprived of almost every privilege. The people having obtained the right of assembling by tribes, stalked forward to assume the power of legislators, and, without the concurrence of senators or patricians, enacted laws, called Plebiscita; \* and the comitia in which they were made, had the name given them of Comitia by Tribes. This was the highest degree of extravagance, on pretence of liberty; since the people, by endeavouring to establish a democracy, acted a-

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\* Dionysius Halicar. lib. XI. p. 725.

gainst the very principles of such a government ; for the patricians had no share in the framing or passing of these laws, and yet were subject to them. \*

100. Under such an usurped power, the republic could not have preserved its form, had it not been for the authority of the consuls, the influence of the cenfors, and now and then the absolute commands of a dictator. Though the Senate was deprived of its right in the legislation, and had little influence in the appointment of the magistrates, both of which privileges were usurped by the people, the Senate, with the consuls, still retained the executive power, in the exercise of which, there appeared not the least jealousy in the people. Besides this executive power, the Senate still possessed considerable prerogatives, as those of appointing or receiving ambassadors, of declaring war or peace : it disposed of the public money,

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\* Dionysius Halicar. lib. XI. p. 725.

money, farmed out the revenue, and, in other respects, embraced the whole of a monarchical power. \* But the Plebeians, becoming jealous of the Senate and Consuls, on account of their remaining privileges, at last created military tribunes; † and, some time before the beginning of the first Punic war, A. R. 489, they decreed, that themselves only should have the right of declaring war. ‡

101. The manner in which the judiciary power is exercised in a country, is of the utmost consequence to the subject, who may be judged to be free, or in slavery, from the form and practice of the several courts of law. The criminal jurisprudence of the Romans, gives us no great idea, either of their freedom, or of their justice. The Consuls, after the expulsion of Tarquin, assumed to themselves the

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\* Polybius, lib. VI.

† Livius, lib. IX.

‡ Freinshemius' Supplement to Livy, Dec. 2. lib. VI.

power of judging in all criminal cases ; but they often acting, on such occasions, in a despotic and arbitrary manner, gave rise to the Valerian law, by which it was made lawful to appeal to the people from every ordinance of the Consuls, that endangered the life of a citizen. The Consuls, after this, had no longer power of pronouncing sentence, in capital cases, against a Roman citizen, without the consent of the people. This appears to have been a laudable alteration in the law. The people, however, never satisfied with moderation in the exercise of their power, got themselves established, not only as accusers, but as judges in offences against the state. But this power they abused in so gross and cruel a manner, in the accusation and condemnation of many of the best citizens, warmest patriots, and greatest heroes that Rome ever produced, as must brand that part of their administration, to the latest posterity, with infamy. In proof of this dreadful, but just accusation against the tribunes and  
populace

populace of Rome, I shall place, in the Appendix, the cases only of Caius Marcius Coriolanus, Furius Camillus, Metellus Macedonicus, Scipio Africanus, and Cicero,\* all of whom reflect the greatest honour on the republic of Rome.

102. The judicial proceedings of the Romans, in criminal cases of a private nature, had much more the appearance of a regular court of justice, than those which concerned the accusation and condemnation of individuals, supposed to be guilty of treason, or other public offences against the state. In private causes, where crimes were committed by one citizen against another, a Quæstor was appointed by special commission, who nominated the judge of the question; and this last drew lots for the judges or jury, who were to judge of the fact; and thus the tribunal was formed. But the Quæstor was variously nominated; sometimes by the Senate, at other times by the People; and

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\* *Vide Appendix, No. 3.*



and there were cases in which both had a share in his nomination. This office often fell on one of the magistrates, and sometimes on a private person : He was called the Quæstor of parricide ; and is mentioned in the law of the twelve tables. \* Disputes often arising, on the nomination of a Quæstor, the Senate was sometimes obliged to chuse a Dictator, to exercise the office of Quæstor.

103. The Romans, in the construction of their courts, and form of procedure in civil affairs, give us a higher idea of their justice ; and seem to have shown in them more of a spirit of freedom, than in the criminal courts. The court consisted of the Prætor, as judge, and a certain number of men, likewise called judges, who acted as a jury in each case. A number of these judges was pitched upon for each cause ; a custom nearly the same as that which is now practised in England. This similitude

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\* Pomponius in the Second Law, Digest. de orig. jur.

is still more apparent, from the Prætors fixing the judges, with the consent of the parties : the great number of exceptions that can be made now in England, amounts pretty nearly to this custom. The judges decided only the questions relating to facts ; for example, whether a sum of money had been paid or not ; whether an act had been committed or not : but questions of right\* were carried before the Centumvirs ; a court more intelligent in the laws relative to property.

104. The Prætors were elected annually ; but the office of the Judges, for the most part, continued no longer than during the dependence of a single cause : they were always chosen from the order of Senators, till the time of the Gracchi. Tiberius Gracchus procured a law to be passed, that they should be taken from the Equestrian order ; a change so very considerable, that the Tribune boasted of having cut,

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\* Quintilian, lib. IV. p. 54.

cut, by one rogation only, the finews of the senatorial dignity. After this, at Rome, the people had the greatest share of the legislative, part of the executive, and part of the judiciary power ; by which means, they had so great a weight in the government, as required some other power to balance it. The Senate, indeed, had part of the executive power, and some share in the legislative ; but this was not sufficient to counterbalance the weight of the people. It was necessary that they should have a share in the judiciary power, which they accordingly had, when the Judges were chosen from among the Senators. But when the Gracchi deprived them of that power,\* the Senate were no longer able to withstand the people. To favour the liberty of the subject, they struck at the liberty of the constitution ; but both fell in the contest.

105. Hence arose infinite mischiefs to the  
state :

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\* A. R. 630.

state: the form of government was changed, at a time when the fire of civil discord had scarce left any such thing as a constitution. The Knights were no longer that middle order, which united the people to the Senate; the chain of the constitution was broken. There were even particular reasons against transferring the judiciary power to the Equestrian order. The constitution of the army was founded on the principle, that none should be enlisted as soldiers, but such as were men of sufficient property to answer for their conduct to the republic. The Knights, as persons of the greatest property, formed the cavalry of the legions. But when their dignity increased, and they refused to serve any longer in that capacity, it became necessary that another kind of cavalry should be raised: Thus Marius enlisted all sorts of people into his army; and soon after the republic was lost. \* Besides, the Knights were farmers of the public revenues; a set of rapacious

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\* Sallust de bello Jugurth.

cious men, who sowed new miseries among a miserable people, and made a sport of the public calamity. Instead of giving to such men the power of judging, they ought to have been under the eye of the Judges. When the judiciary power at Rome was transferred to the farmers of the revenues, there was an end of order, policy, magistracy, and virtue.

106. By the end of the third Punic war, \* great wealth was amassed in the public treasury ; individuals were become rich, and luxury had got among the middling ranks of the people. But soon after the judicial power was transferred from the Senators, to the Equestrian order, by the influence of Tiberius Gracchus, † voluptuousness, a licentious liberty, and a disregard to the laws, gradually gained ground among all ranks in the state. The dreadful  
civil

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\* A. R. 621.

† A. R. 630. History of Roman Republic, by A. Ferguson. 4to. Edinburgh. 1783. Vol. I. page 292.

civil wars of Marius, Sylla, and Catiline, soon succeeded, which paved the way for Cæsar's usurpation. How different were these times, from those before Rome had extended her conquests beyond Italy, when the several principalities were governed as confederates, and the laws of each republic were preserved. But when she enlarged her conquests, the Senate could have no immediate inspection over the provinces; and the Magistrates residing at Rome, being incapable of governing the distant parts of the Empire, they were obliged to send, for that end, Proprætors and Proconsuls.

107. During their command, they were entrusted with a power, which comprehended that of all the Roman magistracies, nay even that of the Senate and of the people. \* They, being invested with more than monarchical prerogatives, were absolute in the exercise of the  
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\* They made their edicts on their arrival in the provinces.

three powers ; and might be properly denominated the tyrants of the republic. For as the persons sent to govern in these provinces, were to exercise the executive power, both civil and military, it was found necessary to invest them also with the legislative ; for no other magistrate could presume to make laws. It was a privilege of the utmost consequence to a Roman citizen, to have none but the people for his judges : Had it not been for this, he would have been subject, in the provinces, to the arbitrary power of a Proconsul or Proprætor, who were the sole judges in all affairs, civil and criminal. But this privilege of the Roman citizens, was often accompanied with so much pride and insolence, as proved almost insufferable to the inhabitants of the provinces ; who were treated with the same insolent hauteur that the Turks at present bestow on the Christians. Thus, the city never felt the tyranny which was exercised on conquered nations ; for in the Roman world, as at Sparta, those who were free,

free,

free, were entirely so ; while those who were slaves, laboured under the extremity of slavery.

108. While the citizens paid taxes, they were raised with great justice and equality. The regulation of Servius Tullius was observed, who had distributed the people into six classes, according to their difference of property ; and fixed the several shares of the public taxes, in proportion to that which each person had in the government. The Senate bore with the greatness of their taxes, on account of the proportionable degree of power annexed to it ; and the other classes consoled themselves for their less degree of influence, because of the smallness of their tax. There was also another thing worthy of admiration, in this division into classes ; it being in some measure the fundamental principle of the constitution, it followed, that an equal levying of the taxes, was so connected with it, that the one could not be abolished without the other. But while the city paid the taxes without trouble, or



paid none at all, \* the provinces were plundered by the Knights, who were the farmers of the public revenue ; and, in the discharge of this duty, oppressed exceedingly the inhabitants. ‘ All Asia (says Mithridates) expects me as its deliverer ; so great is the hatred which the rapaciousness of the Proconsuls, the confiscations made by the officers of the revenue, and the quirks and cavils of judicial proceeding, have excited against the Romans. ’ †

109. From this just representation of the government of the Romans, in their provinces, it is evident, that the strength of their empire was never equal to its extent. For notwithstanding that some of their provinces were kept quiet, by a government of terror and oppression, yet there were others which revolted on every favourable opportunity ;

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\* After the conquest of Macedonia the Romans paid no taxes.

† Speech taken from Tigris Pompeius, and related by Justin, lib. 38.

tunity ; the silent spirit of rebellion prevailed in all, but was kept down, by the never-ceasing vigilance of a tyrannical government. This occasioned almost a constant movement of the Roman legions, from one end of the empire to the other ; and when the liberty of Rome was at last invaded by the northern nations, it was looked on by the provinces as the happy æra of their freedom.

110. This condition of the Roman provinces is somewhat similar to what has been for some time past, and is at present felt, in the several principalities of Europe, where the despotism of the French has extended its power. But the proscriptions, confiscations, assassinations, and robberies, of the French, go beyond every thing of the kind, in cruelty and injustice, that has occurred since the times of Marius and Sylla. The grievous oppressions of the French are the more to be abhorred, as they have been committed, after cajoling the conquered people

ple with the most endearing expressions of eternal friendship, fraternity, and the enjoyment of the highest degree of equality and liberty. What could be expected, however, from such an unprincipled people, who pride themselves in their atheism ; but the breaking through the most solemn engagements and treaties, with the same ease that they have denied the existence of God, and his all-ruling providence? From such a conduct of oppression and cruelty, and their wickedly daring the powers of God and men, there must lurk in the hearts of the inhabitants of their conquered provinces, an insuperable aversion to their present despotic governors ; ready to break out in open revolt, as soon as they perceive it can be done with success.

111. From the manner in which the Greeks and Romans carried on war, they were naturally led to certain practices, which strongly counteracted that boasted spirit of freedom,  
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held to be the first and most precious part of their constitutions. The number of helots among the Greeks, and slaves in possession of the Romans, in consequence of their victories, produced in both a fierce, domineering spirit, incompatible with that humanity which ought to exist among a free people. The histories of Greece and of Rome, show to what an abject state their slaves were reduced. But as this is a disagreeable subject, rather than enlarge on it, I shall refer my reader to a paper in the Appendix, on the abuse of power. I may, however, here observe, that those who treat slaves with inhumanity, or otherwise abuse their power, show how readily the transition is made from licentious liberty to despotism. But besides the bad effects the correction and punishment of the slaves must have had on their minds, the employment of slaves in agriculture and the mechanic arts, hurt essentially the power and prosperity of the republic. For as idleness and dissipation are the great sources of

poverty and discontent ; so industry, oeconomy, and the wealth that arises from them, never fail to produce that hilarity of spirits, health, and contentment, everywhere so observable among the industrious who are free.

112. The many objections, which might now be justly made, to the democratical governments of Greece and Rome, could not, in these ancient times, be urged with the same force, while war, conquest, or defence, were their chief objects. The most exceptionable circumstance in their governments, however, and which was productive of so many disastrous events, was, the constant jealousy that subsisted between the people and the nobles, especially at Rome. But it was difficult to rectify abuses that seemed inherent in the nature of democracy, which left the citizens tyrants in one capacity, and slaves in another ; for true freedom was not then known. There was wanting a third power, to moderate the demands

demands of each, when inconsistent with the prosperity, dignity, freedom, and safety of the republic. This was sometimes obtained by a Dictator, who possessed the highest degree of despotic power ; but as this supreme office was usually conferred on the person most remarkable for his patriotism, wisdom, and abilities, it was commonly exercised with great justice, till the time of Sylla and Marius. But no sooner was order restored, or the purpose accomplished for which the Dictator was created, and he had laid down his power, with the insignia of his office, than the usual jealousy in the plebeians began to appear. This was natural to a people, ever desirous of authority ; indigent, discontented, and unhappy, from the poison of false politics, which they greedily imbibed from one another ; the never-failing consequence of idleness and dissipation ; for they were indolent in every thing but the exercise of arms.

113. That none of the governments of ancient Greece, or of Rome, however well suited to the people, and the times in which they existed, could possibly be adopted, with propriety, by any of the nations of Europe, can scarcely be disputed. This must appear evident, not only from the short view that has been here given of their constitutions, but more particularly to those who shall read, with attention, the histories of these countries. The imperfections of their government could not be readily perceived by a people bred and educated in them, and who had no experience of a better constitution. The great body of the people, therefore, were so much attached to the form of government under which they lived, that they gave it a preference to all others. The difference of trade, commerce, and manner of life, with certain forms and usages, peculiar to each nation, from what exists at present in Europe, would no doubt occasion a corresponding difference in their laws.

laws. But the strict observance of the rites, ceremonies, and form of worship, in the Pagan religion, must have given such a peculiarity to their constitution, as to render it inadmissible among Christians. After pointing out these facts, I am greatly at a loss to account for the invincible attachment which some of our Latin and Greek scholars, and others, by them educated in their principles, have for the constitution and government of the ancient republics.

114. I formerly remarked, that in civil wars, in those of defence, and in all other violent commotions of a state, of any considerable duration, when the powers of the mind are exerted to their utmost extent, extraordinary abilities appear in individuals, that in more peaceable times would have remained latent and unknown. As I have already treated on this subject, and endeavoured to account for these extraordinary effects of an uncommon and  
long



long continued excitement of the mind, I shall only here observe, that during these violent struggles in war, and politics, in which the Greeks and Romans were so frequently engaged, some of the greatest men of antiquity appeared. We cannot read the histories of these countries, given us often in the most eloquent and captivating language, without being moved to the highest degree of admiration, on discovery of the transcendent abilities of many of their heroes, legislators, orators, and poets. In this state of the mind, we are apt to transfer our rapturous applauses of these great men, to the times and government in which they flourished ; and, without examining, minutely, the nature of their republics, to give them a preference to better constitutions, where liberty and property are more fully secured. This is the only apology I can make for those men, whose knowledge in languages, and propensity to criticism, greatly exceed their judgment in legislation.

## SECTION VII.

OBSERVATIONS ON THE CONSTITUTIONS OF THE  
LATE REPUBLICS IN EUROPE.

115. Venice, Genoa, and the other republics of Italy, now under the authority, and new-modelled by the administration of France, were formerly governed by a severe despotic aristocracy, being each a republic of Nobles, with a populace of slaves. There was an obscurity in the whole of their administration, the powers of which were not thoroughly understood, especially at Venice; nor were many of the laws publicly known, by which the people were bound. In the trials at Venice, for supposed offences against the state, I have been informed, that, on certain occasions, the proceedings of the judges resembled more a Spanish inquisition, than those of an ordinary court of justice. Under a government so  
oppressive

oppressive and tyrannical, where the lower classes of the people were held in the utmost degree of subjection, it is natural to suppose, that they would receive the French and their constitution, though worse than their own, with that degree of alacrity and cheerfulness, which slaves show when emancipated. For, in every republic, however well constituted at its commencement, the management of public affairs, in process of time, from the opulence, superior abilities, and ambition of some, and the dependence and indolence of others, gets into a few hands, who usually perpetuate one another in office, with a tyranny increasing with their powers. This, in some degree, must have been the case, even in Switzerland, so famed for its love of liberty; otherwise the French, with all their power, treachery, and dissimulation, could not have made such an impression on their territories. In confirmation of this, Zimmerman, who is himself a Swiss, says, in his

his Treatise on Solitude—‘ The all powerful  
 ‘ and imperious governor considers his little  
 ‘ territory as the universe. His breath, alone,  
 ‘ decides every question that is proposed at the  
 ‘ Guildhall ; and the rest of his time is whol-  
 ‘ ly occupied in maintaining his influence over  
 ‘ the minds of his fellow-citizens. Within his  
 ‘ own territory, he is the greatest man on the  
 ‘ face of the earth : the honest labourer crouch-  
 ‘ es with fear, and trembling in the presence  
 ‘ of his redoubtable majesty ; for he knows  
 ‘ the ruin that awaits his anger. \*

116. Republics most commonly originate,  
 in certain districts, favoured by nature for de-  
 fence ; from the courage of the inhabitants, and  
 their determined resolution, for a separate and  
 independent government ; which causes them  
 to revolt from the arbitrary authority of their  
 rulers. This resolution, when taken by a few  
 leading men, soon becomes general : for the  
 ideas

ideas of liberty, equality, and a form of government, in which all are to have an equal enjoyment, have such charms, and give such irresistible courage to the people in battle, as no equal power, nay, perhaps, double their number, can overcome. These motives make all men brave, adventurous, and obstinately persevering; and when they have succeeded in their enterprize, they think themselves fully recompensed by the laurels and independence they have obtained in the contest. But these struggles for the prize which they so ardently desire, we must consider, in most cases, as a speculation in politics, a deep game, in which they do not always succeed. For, from the history of all the republics, of which I have any knowledge, and for the reasons already suggested, they have every one terminated in an aristocratical tyranny, worse than the government of any absolute monarch in Europe.

117. The history of Geneva, from 1526, when that city shook off its dependence on the Duke of Savoy, to 1782, \* fully exemplifies the unhappy state of republics, in general, in the jealousy which constantly subsists between the populace and the administration. During that long period, many were the violent contests, between the people and the nobles, for the establishment of their constitution, which was not finally settled till 1782; since which time all parties remained tolerably quiet, till the late arrival of the French to new-model their government. To give a single instance of the great changes which time produces in a republic, let us take a short view of the mighty alteration in the condition of the Doge of Venice. In this great personage, were formerly vested the most extensive powers; he was President in all councils of state, Admiral and Captain-General of the fleets and armies; but, before the late French invasion, he was  
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\* Encyclopædia Britannica, Vol. VII. p. 619.

no more than a splendid slave : he could not visit a friend, or receive a foreign ambassador, without a special order from the senate for that purpose.

118. When large tracts of land are, by natural barriers, or general consent of the inhabitants, divided into provinces, the dangers of war oblige them to unite in a confederacy for their mutual defence. When these confederacies are formed, it is usual to stipulate, that each province shall enjoy its own laws and religion, as before the treaty of union. - As all the members of the diet, or assembly of the states, are equally concerned in the demand in favour of their constituents in the provinces : so, to this article they readily assent. They are only bound to such regulations, laws, and assessments, as shall be found, by a general agreement, necessary for maintaining their political union on a respectable footing, and for defraying

defraying the ordinary expences of government in peace and war. But each province having an internal government, and constitution peculiar to itself, and independent of the rest, subjects the whole public administration to difficulties and procrastinations extremely detrimental to the state. Such a confederacy, ~~therefore,~~ whatever part of the world it may exist, must be considered as a complicated machine, which can be regulated only by the nice management of a variety of delicate springs, and is, of consequence, often subject to irregular motions, not easily restrained.

119. From a competition in certain articles of trade, there often arises a jealousy between particular provinces, which prevents them from acting with that heartiness and unanimity, in the passing of laws necessary for the general benefit of the confederacy, or advantage of the individual state. For these reasons, political republics, even in times of peace, want that



firmness, steadiness, and energy, necessary to their good administration: but in war, when unanimity, promptitude, and decision are of the utmost consequence to their success, then it is that separate interests and procrastination always prove more or less ruinous to the state. From this loose connexion of the several provinces, the aristocratical party is apt to be tampered with by some neighbouring potentate or republic, who, for the increase of power and political interest, wishes to have the direction of their administration. This has been the case with the United Provinces, a species of heptarchy, which was more or less under the influence of the Court of Versailles during the whole of the last century, till it fell at last into the gulf of despotism under the republic of France.

120. These observations and reflections are equally applicable to the Thirteen Cantons of Switzerland, and to the United Provinces  
of

of America ; where the French, by their emissaries, and unremitting assiduity, in clubs, and seditious societies, kept up at great expence, have seduced many from their true interest and allegiance, as good subjects. The difference of religion in the several provinces of America, but more especially in the Cantons of Switzerland, where as many are of the Roman Catholic as of the Calvinistical faith, is a circumstance not very favourable to the preservation of a strict and cordial union among them. But there are other sources of discontent among the leading men in a republic, more violent in their nature, though not so permanent as that silent slyness for one another on account of religion. In every republic, for example, the person or persons vested with the executive power, being chosen from the legislative body, are not, in point of rank and dignity, sufficiently removed from their companions in the National Assembly. This is often the source of parties and

cabals in the state for these high offices, the dignity of which is commonly kept up by a severe and terrific administration. The false idea of enthusiastic democrates, that there is neither heart nor spirit but in a republic ; that, under the democratic form of government alone, people may speak the truth with freedom and safety, is not well founded ; for in those states, indiscreet politicians are under the jealous observation of many spies. This was well known to those who took the liberty of censuring too freely the administration in Venice or Genoa, before the French revolution, when they were independent republics.

## SECTION .VIII.

## CONCLUSION.

AFTER this concise examination of the constitutions of the ancient and modern republics, it might be expected that I should likewise take a short view of the British Government : But this task is in a great measure superseded, by what I have already said in the first three Sections of this Treatise. To be more particular, then, on that subject, would be to transgress on the patience of every reader, the least versant in our history. I shall therefore, in this Conclusion, restrict myself to such general observations as may distinctly prove the superiority of our constitution to any other hitherto established in any part of the world.

121. The three most noted forms of government are, the monarchical, aristocratical,  
P. 3. and

and democratical; of each of which our constitution certainly partakes, but without those disadvantages to which all of them are liable. These are prevented by the singular form of our Parliament, consisting of King, Lords, and Commons, and the check which each has on the other two, in all deliberations relative to legislation and other acts of government. It is from this Parliament, so happily formed, all the laws have flowed forming our constitution; which gives freedom to the subject, security to his person, property, and religion; bestows rewards on improvements in agriculture, mechanics, commerce, and every species of useful invention. Our constitution, the envy and admiration of foreigners, diffuses a happiness and contentment through the whole nation, except to a few seditious, discontented men, who, for sinister ends, or from imbecility of mind, exclaim against every act of administration, and who would make bad subjects in any part of the world.

122. The idea of such a form of government as ours, did not escape the ancients ; but they thought it more theoretical than practical, and, of course, spoke of it rather as a happy, desirable state, than one which could be expected ever to take place. The many revolutions of government among the ancients, their frequent wars for conquest and for power, the despotic power of their kings, nobles, and often of the people, kept them from advancing in the knowledge of government, or of suggesting to themselves such a constitution for freedom, security, and equality, under the law, as we enjoy. Tacitus, who is supposed to have been as well informed in the affairs of government as any of his contemporaries, was of opinion, that a government, consisting of a chief magistrate, nobles, and the people, might be praised in theory, but could hardly ever exist in fact ; or, if it did exist, could not be of long continuance. \*

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realized

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\* Nam cuncta nationes et urbes populus, aut primores,

realized the Utopian felicity, mentioned as impracticable by Tacitus, there still remain among us some infatuated men, who, in their rage for a republic, seem inclined inconsiderately to pull down the most glorious fabric of a constitution that has ever yet been framed.

123. This boast of human wisdom, though imperfect, as must be all the works of men, continues, every Session of Parliament, to improve ; but the plan of these pretended reformers, is to make it give way to a republic, similar to what has been adopted in France. The dissimilarity, however, of the former and present constitutions of Britain, and of France, precludes every idea of the possibility of such an absurd scheme taking place. The code of laws forming the constitution of France has, since the commencement of their revolution, under-

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mores, aut singuli, regunt : delecta ex his et constituta reipublicæ forma, laudari facilius, quam evenire, vel si evenit, haud diuturna esse potest.—Annales, lib. IV. c. 33.

undergone many alterations, but is still unsettled, and probably must undergo other material changes, before a firm and steady government can be secured. What these laws are at present, I know not; but the Chief Consul now assumes a more than regal pomp, and governs with a despotic power, not only France, the Low Countries, Switzerland, and Italy, but the Pope himself. For it is he that has, after a long toleration of atheism and irreligion, re-established the Roman Catholic worship in France; reducing considerably, however, the stipends and the number of their archbishops, bishops, and inferior clergy. It is by him, or by his order, that they are collated to their benefices; the First Consul appears to be the head of the Gallican church; and all its members are under the civil jurisdiction. But as a more particular account belongs rather to the history of France, I willingly leave this subject.



124. From the last Section, it is sufficiently apparent, that the constitutions of the late republics in Europe were incompatible with that freedom of the subject, and security of his person and property, which a good man would wish the inhabitants of every country to possess. For a small district of country, a better form of government might, no doubt, be suggested, than existed in any of the late republics in Europe. But when a nation becomes great and populous, it is ill fitted for being a commonwealth ; ambition is apt to trample upon justice, selfishness upon patriotism, and the public weal is sacrificed to private views. The ingenious and learned Baron de Montesquieu says, ‘ A very curious spectacle it was, in the last century, to behold the impotent efforts ‘ the English made for the establishment of ‘ democracy. As those who had a share in ‘ the direction of public affairs were void of ‘ all virtue ; as their ambition was enflamed by ‘ the success of the most daring of their members ;

' bers \* ; as the spirit of a faction was sup-  
 ' pressed only by that of a succeeding faction,  
 ' the government was continually changing.  
 ' The people, amazed at so many revolutions,  
 ' sought everywhere for a democracy, with-  
 ' out being able to find it. At length, after  
 ' a series of tumultuary motions and violent  
 ' shocks, they were obliged to have recourse  
 ' to the very government which they had so  
 ' odiously proscribed.' †

125. This is a just representation of the  
 unsettled state of the inhabitants of Britain, dur-  
 ing those times, when all were solicitous to  
 obtain such a reform in the government, as  
 should convey more permanent happiness and  
 contentment than they had hitherto experi-  
 enced. This, however, did not take place till  
 the Revolution, when the basis of a truly free  
 constitution was laid ; ever since which time,  
 it

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\* Cromwell.

† L'Esprit des Loix, tom. I. p. 20.

it has been gradually improving. Though by these means our government is become the admiration of foreigners, yet it has not given universal satisfaction at home, on account of those restless, malignant spirits, common to all countries, who seem never so happy as when employed in diffusing their rancorous discontent among others. These misanthropes are greatly assisted in their orations on the bankruptcy and ruin of the nation, by the false arguments of some ambitious men, of considerable abilities, in Parliament, who have no other view, in constantly opposing the minister, than to get themselves brought in for a share in the administration. They even derive consolation from the independent men of genius, who fail not to correct the minister for some oversight or error, and to whom, for their wisdom and steadiness in opposition to every unconstitutional measure, the public is greatly indebted. Every circumstance that can be brought against the administration, is repeated with internal satisfaction;

satisfaction ; but the great luxury of discontent is indulged on the subject of a reform, which, with many, is a mere pretext to overturn the constitution.

126. I know not exactly the system of government these wild politicians propose to themselves ; and they probably are as ignorant as I am, in regard to the constitution they may be induced to adopt, in their progress through rebellion, anarchy, and confusion. But from the little I know, of what they hold the most desirable points to be obtained, they seem inclined to lodge the whole power of government in the people ; for the majesty of the people, equality of ranks, universal suffrage, annual, biennial, or triennial Parliaments, can bear no other interpretation. I mean not here to lessen the estimation, in which every man of reflection ought to hold the people at large, or that affectionate regard due to the populace of every country ; but I incline not that they should

should be our governors. For the histories of all ages, where the people have had the principal sway, prove, that democracy is the worst species of government that can exist, absolute monarchy not excepted. In the one case, we have a single despot; but in the other, a thousand tyrants.

127. The Majesty of the people has been vociferated all over Europe, as well as in Britain; for by this epithet, or high sounding title conferred on the populace, every demagogue hopes to gain them over to his party. It is the lower orders of the people that are thus sublimely denominated; but had they used a phrase more expressive of their utility to themselves, and to the public, when industrious, it would have communicated a much more just idea of their worth, and been more honourable to them. This, however, would not have served the purpose of the seditious so well, who mean to flatter and cajole by hyperbole;  
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of course the plain language of truth and sincerity, must give way to a high-flowing style, capable of exciting the pride and vanity of the people to whom it is addressed. This favourite expression, the Majesty of the People, may no doubt be used with great propriety, when applied to their representatives, the House of Commons; but not to the people individually taken. In the revolutionary language of France, to rise in a mass, was to show the majesty of the people in its full splendour; and it certainly imported a power sufficient to overturn the state, by their becoming the legislators. But as we have a good constitution, continually improving, and as we know, from the experience of past ages, the great abuse of power, when in the hands of the people, let us avoid that anarchy and destruction, which must arise from the dangerous practice recommended by the French demagogues.

128. Equality in regard to the laws enjoyed by every British subject, is well understood ; but equality of rank, and universal citizenship, have in them something so foolish and absurd, that they scarcely deserve refutation. For, till men are created with a perfect equality of talents, genius, and disposition, there must necessarily be difference of ranks and power ; and if, from the creation of the world, Providence has uniformly established a subordination among men, by bestowing on them different degrees of intellectual power, then all endeavours to counteract this wise design, is to act contrary to what was instituted for our happiness. It may be objected, that all tyrannies, under whatever form they may have existed, have constantly supported a subordination, with a strictness proportioned to the tyranny exercised in the state. But we must consider that abuse of power we call tyranny, as a circumstance superadded to the form of government, without which it may undoubtedly exist ; but it is equally

qually certain, that no government can possibly subsist without subordination.

129. The French have carried the system of equality and citizenship, to the utmost degree of extravagance, with an impiety and folly, which astonish the rest of the world; and, that all might be equal, every rank of nobility was abolished. That atheism and irreligion might be practised with impunity, it was likewise necessary to abolish the clergy, without distinction, and the public worship of God throughout France. That the Roman Catholic religion, established in France, would have admitted of some reform, no one will deny: this might even have been extended to the conduct of some of the higher orders of the clergy; but, on this pretence, totally to abolish religion, and the whole clerical order, was shocking. This was, however, no more than what might have been expected, from so many atheists as were among the Jacobins, the Illumi-



nati, and their disciples, who, in their vehemence and violence in the settlement of their constitution, came at last to bring one another to the guillotine, which brought some of the rest to their senses. The privileges of the Peers of France, and of the Nobility in general, were certainly too numerous and extensive for the prosperity of the country: their baneful influence reached to the merchant, the trafficker, mechanic, farmer, and peasant; all of whom ought, by every means, to have been protected and encouraged. Those privileges, therefore, which interfered with the happiness and prosperity of those ranks, ought to have been abolished, but not the order of nobility.\* By these resolutions, however, the government of France reaped some temporary advantages; for by unjustly seizing the lands of the clergy and the nobility, and bringing them to the hammer, money was raised to defray the expences of their wars; and the purchasers

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\* *Vide* Appendix, No. 4.

purchasers of the lands were secured in the interest of the revolution. But all reforms, or revolutions of government, which on that pretence have taken place, on principles inconsistent with true freedom, and the prosperity of the country, have seldom been of long duration. Witness the numerous changes in the form of government and administration, which have taken place in France, since the dawning of the Revolution. They have no doubt obtained at last a singular species of government, apparently an oligarchy, but in reality more like a despotic monarchy than a republic, which they affect to call it; and which, although acknowledged by all the powers of Europe, it is doubtful if it is yet on so firm a basis as to ensure its permanency.

130. I cannot perceive how the universal suffrage, insisted on by the seditious demagogues of this country, could possibly be of the smallest advantage to the lower ranks of the

people. Not one in five hundred, perhaps even in a thousand, of the industrious labourers, can have any personal acquaintance with the candidates, for becoming their member; and if they had, are they capable of judging rightly to whom the preference ought to be given? However desirable it might be to the populace, on the eve of a general election, to look forward to two or three days of drunkenness and dissipation, at the expence of the candidates, it certainly could not be of any real advantage to the voters or their families. But after these men, whose wealth arises solely from their industry, have had the honour, in a drunken vociferous tumult, of returning a member to Parliament, would they be better represented than at present, when he is chosen by gentlemen of landed property, which always supposes an interest in the welfare and prosperity of the country? Certainly not. It is likewise evident, that the frequent repetition of a general election, by the biennial, or triennial Parliaments

Parliaments proposed, would be extremely hurtful, not only to the candidates and the voters, but to the country in general; and that even the business in Parliament could not be so well, or so effectually carried on as at present.

131. In Scotland the effects of those days of drunkenness and riot, at the elections in boroughs, even according to our present mode, are clearly perceived in the after conduct of the electors. Their morality is not thereby improved; their poverty is increased; and, what is extremely disagreeable in society, an animosity is often kept up, for some time, between the opposite parties, especially in small towns. And this ferment among the mechanics, produced by politics, and strong liquors, ceases not with the canvass for their deacons, and filling up their town-council, at the Michaelmas immediately preceding the general election. For, as the deacons of the several corporations of mechanics, are chosen annually,

a little politics, among the freemen, goes on throughout the year ; which gives them a gossiping, idle turn, and keeps them poor. These are perhaps the reasons why some old men of observation asserted, that the Royal Boroughs in Scotland had declined in their trade, and of course in their opulence, since the Union ; before which time, a seat in Parliament was not so much coveted ; of consequence, the canvass for it was much less than at present ; and the industry of the inhabitants was proportionably greater. There were, no doubt, some exceptions to this general observation, where a seaport, or other local situation, favoured the trade and commerce of the borough ; but it is certain, that the large manufacturing towns or villages, that return no member to Parliament, are observed to be the most thriving and prosperous.

132. It may be objected, that the practice in England, at their elections, is nearly the same

same with the universal suffrage proposed ; as every one, possessed of forty shillings a year, becomes thereby an elector. \* But it does not follow that this practice is a good one ; experience has shown it to be extremely inconvenient and expensive to the candidate ; who is not enabled to discharge his duty in Parliament a bit better, because his seat, for which he ought to pay little or nothing, has cost, in proportion to the opposition given him, from five thousand to fifty thousand pounds. The great expence that frequently occurs, in an endeavour to be

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\* This is, however, by no means the spirit of the law, as may be seen in an act of Parliament, passed in the eighth of Henry the Sixth, in the 1429, wherein it is enacted,  
 ‘ That the Knights of shires shall be chosen in every  
 ‘ county, by people dwelling and resident in the same  
 ‘ counties, whereof every one of them shall have free land  
 ‘ or tenement to the value of forty shillings by the year,  
 ‘ at least, above all deductions.’ The letter, but not the spirit of this law, has been ever since observed ; for forty shillings a year, A. D. 1429, was equivalent to twenty pounds a year in 1802.

returned for a borough or county, often without success, to the ruin of many a family, must be owing to some radical fault in our constitution. This, I apprehend, to be the too great number of electors; a fault not easily to be corrected; for the remedy would, probably, be contrary to the inclinations of the populace: but this observation extends not to Scotland, where elections are made with less trouble and expence.

133. After the election of a member, for a county in Scotland, the person returned gives a dinner to the electors, in which consists almost the whole expence of his election. But to obtain a seat in Parliament, for a set of boroughs in Scotland, especially where there is a competition of candidates, is often much more expensive; for all the competitors for the prize, are obliged to visit several times each of the boroughs in the district, before they meet by their delegates, for the election of the member.

ber. From the different mode, however, of electing in the two countries, the total expence incurred, by the whole boroughs of Scotland, does not amount, in general, to so much as has been often expended on the election of two citizens for Westminster. The cause of this great difference, in the expence of an election in England, and of that in Scotland, is obvious ; for as, during the canvass, most of the voters must eat and drink at the expence of the candidate ; where they are most numerous, the expence will be greatest. I have lived long enough to have seen a good number of general elections, and likewise those for members to supply vacancies as they occurred in the House of Commons ; but never heard it alleged, that in Scotland there was not a competent number of electors for each county.

134. It has been already noticed, that our boroughs elect by delegates, which prevents all confusion and tumult on the day of election ;



tion ; and could such a practice be introduced into England, by delegates from parishes, or otherwise, the mode of electing would thereby, I am persuaded, be greatly meliorated. But the lower ranks of the people, in England, look on the voting for a member as an honourable privilege, which gives them some importance in society. Did they receive any real advantage from their suffrage, I would reason as they do ; but as none is thereby derived, it should be considered rather as a voluntary service than a privilege. The importance which the suffrage of an individual confers on him, among hundreds or thousands of others, is merely ideal ; for nothing can give consequence to the honest labourer, but his industry and frugality, which bring contentment, happiness, and, in the end, riches or easy circumstances. But as such a considerable change, in the law and practice, at elections in England, could not possibly be adopted, without risking the consequences of tumultuary meetings of  
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the seditious, in various parts of the country, which might endanger the constitution itself: let us rest satisfied with the law as it now stands. For though a law may be far from the best that could be devised, to answer the purpose for which it was intended; yet having, on its side, the sanction of time, and meeting with the inclinations of the people, it ought not to be altered, but with great caution and circumspection,

135. As often as my subject has led me to contemplate the condition of the industrious classes of the people, it has been my constant and sincere desire, to be able to suggest, whatever might have a tendency to correct their errors and mistakes, and thereby to render them more happy, and satisfied with the situation in which Providence has placed them. This, however must be confessed to be a most arduous task, not from any obstruction we meet with, in pointing out the true road to wealth and

and contentment, but in the difficulty of convincing those weak minds, of the great efficacy of the means, which are ever infallible, when steadily pursued. But as example is ever more powerful and persuasive than precept, let them look at the pious good man, who is industrious and frugal, and they will find him constantly happy in his family, in his circumstances; sometimes rich, and always contented. To reverse the picture, let them turn their eyes to the dissipated, idle man, especially if he is one of those weak restless brains, who has become politician, and turned his mind more to the public interest than his own; and they will find him often bankrupt, and always unhappy. Even this method of directing the conduct of the populace, so clear, so palpable to the senses, and confirmed by every day's experience, meets not always with that success that might be expected from viewing both sides of the picture. For though there are among them some prudent men, with excellent understandings, yet the  
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great body of the lower ranks of the people are, in their minds, mere children; and of course require the aid of exemplary conduct, in their neighbours, to keep them in their duty. When they are so fortunate, which is not always the case, it is of more real service to them, than would be all the sermons of all the world; though these no doubt are, on some occasions, of great use.

APPEN-



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# A P P E N D I X.

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## No. I.

### ON THE USE AND ABUSE OF POWER.

IT is certain, however, that there have been in all ages eminent persons, who, from their being strongly impressed with the principles of morality, a high sense of honour, and that degree of humanity and benevolence which ever attend good men, have resisted, even when raised to the highest offices in the state, every temptation to the abuse of power. But there is a curious circumstance, in the history of the human mind, of two opposite passions, which constantly haunt and influence, with more or less

less force, the minds of the great majority of mankind. There is strongly implanted in all a love of freedom, which is too often accompanied with a propensity to tyrannize ; for the freedom which men claim to themselves, they are sometimes unwilling to grant to others ; and the principle which inspires the wish of independence, often produces the exercise of oppression. This cannot be better exemplified, than by contrasting the condition of slaves under an arbitrary, with those living under a free government. That the condition of a slave is better under an arbitrary than under a free government, is, I believe, supported by the history of all ages and nations. In the Roman history, the first time we read of the magistrate interposing to protect the slave from the violence of his master, is under the Emperors. When Vidiſus Pollio, in the preſence of Auguſtus, barbarouſly ordered one of his ſlaves, who had committed a ſlight fault, to be cut into pieces, and thrown into his pond, as food for the fiſhes,

es, the Emperor commanded him, with indignation, to emancipate immediately, not only that slave, but all the others that belonged to him. Under the Republic, no magistrate had authority sufficient to protect the slave, much less to punish the master.

Similar observations may be made in regard to the practice of modern times, in every country where, unfortunately, the law of slavery is established. The magistrate, when he protects the slave, intermeddles in some measure in the management of the private property of the master. In a free country, where the master is perhaps either a member of the colonial assembly, or an elector of such a member, the executive officer dare not interfere in this way, but with the greatest caution and circumspection. The respect which he is obliged to pay to the master, renders it more difficult for him to protect the slave. But in a country where the government is in a great measure arbitrary,



where it is usual for the magistrate to interfere even in the management of the private property of individuals, and to send them perhaps a *Lettre de Cachet*, if they do not manage it according to his liking, it is much easier for him to give protection to the slave; and common humanity naturally disposes him to do so. The protection of the magistrate renders the slave less contemptible in the eyes of his master, who is thereby induced to consider him with more regard, and to treat him with more gentleness. Gentle usage renders the slave not only more faithful, but more intelligent; and therefore, upon a double account, more useful. He approaches more to the condition of a free servant, and may possess integrity, and some degree of attachment to his master's interest; virtues, which frequently belong to free servants, but which never can belong to a slave, who is treated as slaves commonly are, in countries where the master is perfectly free and secure.

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This propensity to the abuse of power, unhappily, so frequently a passion in the human race, occasions everlasting animosities and quarrels among men, and extends itself through all societies, principalities, and kingdoms; for the histories of nations are, in a great measure, filled with a chronological statement of injuries, done to the weak by the more powerful. This shows the universality of this passion, not only among individuals, but states, when they imagine they can exercise it with impunity and advantage. This wicked spirit makes men overlook the salutary maxims,—that management and persuasion are the easiest and safest instruments of government,—and that force and violence are the worst and most dangerous. They too frequently incline to follow rather their natural insolence, by disdaining to use the good instrument, unless when they cannot, or dare not, use the bad one. \*

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\* An instance of insufferable insolence in the abuse  
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in particular instances, most unfortunately given a sanction to this abuse of power, it has arisen sometimes to the most dreadful and fatal excess. The brutality of the Romans was, on many occasions, very remarkable ; but to their children it was horrid. They having the power of life and death over their children ; it was sometimes exercised with a ferocious and unrelenting tyranny ; and at all times, they were held, like cattle, to be the father's property. So tenacious were they of the *patria potestas*, that, if a son or daughter, sold to be a slave, was set free, he or she fell again under the father's power, to be sold a second, and even a third time. In the forum, senate, and camp, the adult son of a Roman citizen enjoyed the public and private rights of a person ; but in his father's house, he was a mere thing, con-  
founded

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of power, by Grissler, the Austrian governor of Ury, in Switzerland, is too well known, to be here repeated ; as it may be read in every book of biography, under the article *William Tell*.

founded by the laws with the moveables, the cattle, and the slaves, whom the capricious master might alienate or destroy, without being responsible to any earthly tribunal. Neither age, nor rank, nor the consular office, nor the honours of a triumph, could exempt the most illustrious citizen from the bonds of filial subjection. His descendants were included in the family of their common ancestor; and the claims of adoption were not less sacred, or less rigorous than those of nature. This very extraordinary and inhuman power, which the citizens of Rome possessed during the commonwealth, extended even to the wife of a Roman, who, by a fiction of the law, was denominated, most absurdly, sister to her own children, and daughter to her husband or master, who was invested with the plenitude of paternal power. By his judgement, or caprice, her behaviour was approved, censured, or chastised; he exercised the jurisdiction of life and death; and it was allowed, that, in cases of adultery

or drunkenness, \* the sentence might be properly inflicted. But where the law, on the other hand, protects the person and property of every individual in the state, and where all, without exception, are amenable to justice for every criminal exertion of power, how different is the condition of the people !

Notwithstanding the abuse of power is productive of unhappiness, misery, slavery, and even of death; yet, without subordination, and the due exercise of power, the best government, or constituted society in the world, could not long exist. This passion, from being always so universal, and so ardent among men, we must suppose to  
have

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\* It was enough to have tasted wine, or to have stolen the key of the cellar: Plin. Hist. Nat. XIV. After this just representation of the law and practice of the Romans, relative to the fair sex, it can be no surprise to the reader, to be informed, that it was adopted as a universal maxim, that women never attained to the age of reason.

have been given us by the Author of Nature for the wisest ends. The most obvious appears to be subordination, or that natural regulation of the situation of individuals, according to their abilities, genius, propensities, and certain other endowments of mind or body, as may best contribute to the general harmony and happiness of the whole. The quiet with which every one slips into his place, without murmur, in the great family of a nation, is a proof of what is here alleged, and contradicts that unnatural idea of equality, adopted by the meanest and most ignorant of the seditious. This is likewise corroborated by the facility with which every one submits to the subordination, established by law and immemorial usage ; and this submission, from the different degrees of abilities and talents, and likewise of riches and power among men, appears perfectly natural. But, among a free and civilized people, it must always be understood to be a voluntary homage, paid to men of rank, opulence, and authority

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thority in the state ; for when demanded as a right, it is one of those abuses of power of which we complain.

## No. II.

NAMES OF SEVERAL OF THE GREAT MEN OF GREECE, WHO WERE BANISHED, OR PUT TO DEATH, BY THE UNJUST SENTENCE OF THEIR FELLOW CITIZENS.

MILTIADES, said to be a descendant of Ajax, and who overcame the Persians in the famous battle of Marathon, was, for his unsuccessful attempt on Paros, unjustly tried, fined, and committed to jail, on account of his inability to pay his fine, where he soon died of his wounds. \*

To

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\* Gillies's History of Greece : Dublin, 1786. 8vo. Vol. I. p. 359.

To show that even virtue itself was proscribed at Athens, when it seemed to endanger the public freedom, ARISTIDES, only four years after the battle of Marathon, where he had displayed great valour and wisdom, and who was justly regarded as the most virtuous, just, and respectable of the Greeks, became the victim of popular jealousy ; an example of cruel rigour, which will for ever brand the spirit of democratical policy. \*

THEMISTOCLES, who, by his singular valour and conduct, had gained the decisive victory of Salamis, whose councils and address had rendered their city impregnable ; whose foresight and activity had procured them a fleet, which no nation in the world could resist ; and whose abilities and patriotism had saved his country from the most formidable invasion, recorded in history, and which was principally

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\* Gillies's History of Greece : Dublin, 1786. 8vo. Vol. I. p. 364.



principally directed against Athens, was first banished by the ostracism for a term of years; and afterwards, at the instigation of the Spartans, the avowed enemies of Themistocles and of Athens, for life. \*

CIMON, son of Miltiades, a great and successful general and admiral, who had acquired much honour and riches to the state and to himself, but whose constant study and practice was, with his wealth, to relieve the poor and the unfortunate, and who even made considerable donations to the public, was, on a false accusation, tried capitally; but his accusers being ashamed of the lameness of their proof, he was only banished for life. †

The unjust trial of SOCRATES, for professing and teaching those principles of religion,  
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\* Gillies's History of Greece: Dublin, 1786. 8vo, Vol. I. p. 513.

† Ibid. p. 539.

and exalted ideas of the living God, which have done him so much honour in all ages and nations, has been, and ever will be, a disgrace to the Athenian government. \*

ANAXAGORAS, the philosopher, was banished Athens on account of his philosophy, being too refined for the grossness of the heathen mythology. †

PHIDIAS, whose sublime genius in sculpture and architecture, joined to the most indefatigable industry, enabled him to give such specimens of his art throughout Greece, as greatly surpassed the works of all his predecessors and contemporaries, in elegance and magnificence; and who so adorned Athens with theatres, temples, and statues, as rendered that city not only superior to all Greece, but so as  
never

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\* Gillies's History of Greece: Dublin, 1786. 8vo. Vol. II. p. 350.

† Ibid. p. 14.

never to be surpassed, and scarcely equalled; was banished for the fictitious crime of delineating the portraits of Pericles and himself on the shield of the admired statue of Minerva. \*

PACHES, an Athenian general and admiral of great merit, and who, by his successful conduct in the Peloponnesian war, was of great service to his country, met, on his return to Athens, with the usual reward of superior merit. He was accused of misconduct; and, finding sentence ready to be pronounced against him, his indignation rose so high, that he slew himself in court. †

By the neglect of the Athenians, BRASIDAS had been permitted to conquer several towns on the coast of Macedon, belonging to Athens.

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\* Gillies's History of Greece: Dublin, 1786, 8vo. Vol. II. p. 48.

† Ibid. p. 86.

Athens. But, with the usual injustice and absurdity accompanying popular discontent, they exculpated themselves, by banishing their generals; in which cruel sentence, the excellent historian and general Thucydides was involved. \*

The versatility of the people of the democratical governments of Greece, is well exemplified in the history of ALCIBIADES. This great man, who is said to have been licentious and immoral in his private life, was endued with uncommon abilities, as an orator, general, and admiral. He was several times appointed to the command of the Athenian fleets and armies, and obtained the highest honours for his military conduct, prowess, and success. But he was as often banished on trivial accusations; and was at last put to death, by order of the Spartan government, from a conviction of

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\* Gillies's History of Greece: Dublin, 1786. 8vo. Vol. II. p. 132.

of their danger, should he be recalled by the Athenians. \*

DIOMEDON, and several others of the admirals, who defeated and captured a great part of the Peloponnesian fleet, at the battle of Arginussæ, were tried, condemned, and executed, on a false accusation of their not having done their utmost to recover the bodies of the slain, after the engagement. †

Some years after the battle of Mantinæa, the prosperity and power of Athens were considerably revived ; but as none of the Grecian states could ever use their power with moderation, the abuse of this power was the cause of war with their colonies. During this social war, CHARES, a worthless demagogue, who had excited the Athenians to this unjust measure

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\* Gillies's History of Greece : Dublin, 1786. 8vo. Vol. II. p. 291.

† Ib. p. 306.

ture for acquiring wealth, had likewise sufficient influence with them to procure the banishment of IPHICRATES and TIMOTHEUS, the best generals that then existed in Greece. \*

PHOCION, eminent as an incorruptible patriot, an orator, and general, who, on account of these great qualities, was more dreaded than any other of the Athenians, by Philip and Alexander, was, while Archon, in the eightieth year of his age, falsely accused and condemned. But the Athenians, after his death, being ashamed of the dishonour they had brought on themselves, by the unjust trial of so great a man, erected a statue to his memory, and put his accuser to death.

ARISTOTLE, who, as a philosopher and moralist, did so much honour to his country, was likewise threatened with an accusation and trial ;

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\* Ib. vol. III. p. 92.

trial ; and being afraid of a fate similar to that of Socrates, left Athens, and died at Chalcis, in Eubœa, a few months after. \*

### No. III.

NAMES OF SEVERAL OF THE GREAT MEN OF ROME, WHO WERE BANISHED OR PUT TO DEATH, BY THE UNJUST SENTENCE OF THE PEOPLE.

CAIUS MARCIUS CORIOLANUS, the greatest and most successful general of his age, was banished by the people, at the instigation of the Tribunes, who were jealous of his power and popularity. †

FURIUS CAMILLUS, ever successful in war, took Veii, after it had been besieged for ten years, by other Roman generals ; conquered  
Brennus,

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\* Gillies, vol. III. p. 508.

† Titus Livius, lib. II. cap. 35.

Brennus, king of the Gauls, A. R. 364, after he had burnt Rome, and besieged the capitol ; was five times Dictator, and the greatest patriot in his time ; but was, notwithstanding, banished Rome, without any shadow of justice, and fined in fifteen hundred asses by the people ; whose veneration and ingratitude to Camillus appeared by turns, as their caprice directed, till the time of his death.

An instance of the unbounded power of the Tribunes, and the abuse of that power, is recorded by the younger Pliny, in METELLUS MACEDONICUS, one of the most virtuous and exemplary men in Rome, who was taken up in the forum by Catinius Labeo, a Tribune, and carried with a rope about his neck, to be thrown over the Tarpeian rock, in revenge for Metellus, in the discharge of his duty as censor, having struck the name of Catinius Labeo off the list of Senators ; which horrid death was prevented by the interference of another Tribune,



bune, when Labeo was on the point of executing his execrable design.

SCIPIO AFRICANUS, who, on account of his great abilities, rose to the dignity of Consul, at the age of twenty-nine, was one of the greatest of the Roman generals. He conquered Spain, and overcame Hannibal in the battle of Zama, which put an end to the second Punic war; was accused, though unsuccessfully, by the Tribunes, before the general assembly of the people; but another accusation before the Senate, by the unrelenting Tribunes, drove him into voluntary banishment, at Linternum, where he died a few years after, ordering this memorable epitaph to be engraved on his tomb, ‘ Ungrateful countrymen! my  
‘ very bones shall not rest among you.’

CICERO, who was allowed to be the greatest philosopher and orator of his time, ranked likewise among the first of the patriots of  
Rome,

Rome, and was ever a watchful guardian of the liberties of his country. By his great vigilance and indefatigable attention while Consul, he had almost the sole merit of discovering the conspiracy of *Catiline*; had *Cetbegus*, *Lentulus*, *Cæsius*, and several others of the conspirators seized; and their treason being proved before the Senate, the Consul, with the consent of that august assembly, ordered them to be privately put to death in prison. The commonwealth, being afterwards freed from danger by the death of *Catiline*, unanimously concurred in their applauses of *Cicero*, whose counsels had been the chief means of removing it. Public thanks were decreed him by the Senate; and, at the instance of Cato, he was styled ‘the father of his country.’ The people, with loud acclamations, confirmed the justice of the decree. These very people, however, at the instigation of Clodius, enacted a law, by which banishment was to be inflicted on him who should condemn a Roman

citizen unheard. On this law was Cicero tried for the capital punishment of the above conspirators, though antecedent to the enactment; for they were resolved on his trial and condemnation. This, accordingly, was accomplished; for he was banished four hundred miles beyond Italy; his houses were ordered to be demolished, and his goods set up to sale. Many other similar examples might be given; but a few are thought sufficient, to show the insecurity of a citizen, especially if he has ever been in office, in such a republic.

#### No. IV.

POSSESSIONS IN LAND TO A CERTAIN EXTENT,  
A NECESSARY QUALIFICATION FOR THE  
GUARDIANS OF THE STATE.

ALL persons possessed of large estates, whether ennobled by patent from the King or not, ought to be considered as the natural guardians of the constitution, and of the realm, they having

ing a proportionable interest to maintain the one, and to protect and defend the other. Had the French, happily for themselves, adopted a constitution similar to the English, as was once in contemplation, all those men without property, who assumed the titles of nobility, as descendants from noble families, ought no doubt to have been reduced to the rank of private gentlemen. This is no new idea, but perfectly consonant to the practice of the Grecian and Roman republics ; for, every lustrum, every fifth year, the Senate was reviewed by the cenfors ; and if any one, by his behaviour, had rendered himself unworthy of that high rank, or had sunk his fortune below that of a senator (according to Suetonius, eight hundred sestertia of capital, between six and seven thousand pounds Sterling), his name was passed over by the censor in reading the roll of senators ; and he was, of consequence, held to be excluded from the Senate. But this degradation did not render persons infamous, as when

they were condemned at a trial ; for the ignominy might be removed by the next cenfors, or they might obtain offices, which again procured them admittance into the Senate, as was the case with Antonius, who was Consul with Cicero, Lentulus, Sallust, &c. \* A similar practice was observed, in regard to the appointment of the Equites, who behoved to possess a fortune, towards the end of the republic, and under the Emperors, of at least four hundred sestertia, or about three thousand two hundred and twenty-nine pounds of our money. It appears, likewise, that the Emperor Trajan restrained the infamous largesses of candidates, by a law against bribery ; and by ordaining, that no one should be admitted to sue for an office, who had not a third part of his fortune in land ; which greatly raised the value of estates in Italy.

Similar

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\* Roman Antiquities, by A. Adams, LL. D. Edinburgh, 1792.

• Similar ideas seem to have been adopted by the Athenians ; for when Solon gave them a code of laws, and formed their constitution, he divided the citizens into four classes, according to the produce of their estates. The first class consisted of those whose lands annually yielded five hundred measures of liquid, as well as dry commodities ; the minimum of whose yearly income may be calculated at sixty pounds Sterling, which is equivalent, if we estimate the relative value of money by the price of labour, and of things most necessary to life, to about six hundred pounds Sterling in the present age. The second class were those, whose estates produced three hundred measures : the third comprehended those whose estates produced two hundred : the fourth, and by far the most numerous class of Athenians, either possessed no landed property, or at least enjoyed not a revenue in land, equal to twenty-four pounds Sterling ; or, agreeably to the above proportion, two hundred and forty

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pounds

pounds of our present currency. All ranks of citizens were alike admitted to vote in the public assembly, and to judge in the courts of justice, whether civil or criminal, which were properly so many committees of the assembly. But the three first classes were exclusively entitled to sit in the senate, to decide in the areopagus, or to hold any other office of magistracy. This fundamental part of the constitution of Athens, was thought to promote industry and frugality among the citizens, that they might thereby become entitled to share those honours and offices, to which persons of a certain estate only could aspire. A few years after the administration of Solon, Pisistratus, by his address, became so powerful among his fellow citizens, that he at last obtained the regal authority; when he made a law, that none should have a vote who were not worth two thousand drachms; which was readily agreed to by the people, it being agreeable to their  
original

original constitution, and excluded none but those of little consideration in the city.\*

At no period, in the Grecian or Roman republics, or in the time of the Emperors, was there any thing in their governments, similar to the House of Commons, the fundamental part of our legislative body or parliament, the members of which are elected by the people. In England, every man possessed of forty shillings a year, is an elector; but the candidate for a county, must have a free estate of six hundred pounds *per annum*; and for a borough, or a cinque port, three hundred pounds *per annum*; but the law, in this last case, makes an exception in favour of the eldest sons of peers, and candidates for the universities. In Scotland, the qualification of an elector, in a shire or county, is a free estate of thirty-three pounds six shillings and eightpence, valued rent, which usually

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\* Gillies's History of Greece: Dublin. 8vo. Vol. I. p. 553.



usually amounts to between two and three hundred pounds Sterling of real rent ; and every elector is eligible, as a member of the Lower house. But to qualify a citizen or burgess to be elected, it is only necessary that he be possessed of some property in the city, or borough, he is to represent in Parliament.

For a seat in the House of Peers, no more is required than a patent of nobility from the King. An estate, in land, to a certain extent, which should give a natural interest in the preservation of our constitution, and in the defence, protection, and prosperity of the country, is not by law required. This may be reckoned a defect in the necessary qualification of a peer ; but it is, in a great degree, obviated by the large possessions in land of most of our nobility. But, as poor lords are for the most part a heavy burden on Administration and the public ; perhaps, the practice of the Romans, at their lustrum, would be

be an improvement in our constitution. Something similar to this was exercised by our Legislature, in the reign of Edward the Fourth; for, on the 16th of June 1477, an act was passed, to degrade from his rank and titles George Neville, Duke of Bedford; for that he, having squandered away, in lewd exercises and unlawful pastimes, a fair estate, had not sufficient left to support, with becoming dignity, his elevated situation.\* The Reverend Mr Young of Haik, in his excellent Essay on Government, expresses himself, in what ought to be the true spirit of the law relative to a seat in either House, and likewise to the qualification of electors, when he says, that ‘ men of rank and property are the natural guardians of every country. Property is the pledge, to the community, of the fidelity of its rulers to law and justice. Power, without property, is the very engine  
‘ of

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\* Encyclopædia Britannica, vol. XIII. p. 90, under the article *Nobility*.

‘ of plunder, and lets loose those hands which  
‘ good laws are meant to restrain. Even suf-  
‘ frage, extended beyond those bounds which  
‘ mark a solid interest in the established order  
‘ of society, would be quickly and fatally fol-  
‘ lowed up, by levelling and destruction.’

OBSER-

**OBSERVATIONS**  
**ON THE**  
**PRINCIPAL CAUSES, WHICH**  
**PROMOTE OR RETARD THE ADVANCEMENT**  
**OF LITERATURE, COMMERCE,**  
**AND THE ARTS.**



## P R E F A C E.

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IN the preceding Sections, my best endeavours have been exercised, to give a distinct account of the reasons of the slow progress of our improvement in government, from the earliest period of our monarchy, till we obtained, at the Revolution, that free constitution, which is the admiration of the thinking part of the people in all countries. I have likewise run over (perhaps, in too cursory a way) the ancient constitutions of the republics of Greece, of Rome, and also those of more modern times in Europe, that a comparative view might be taken of their several species of governments with that of Britain. Notwithstanding, however,

ever, of my solicitude, in the preceding Treatise, to reprobate every species of despotism and arbitrary power, as destructive of the happiness and prosperity of those countries in which they are exercised ; yet, something farther is still wanting, to illustrate my doctrine, by particular examples of their effects on individuals and on states ; to which, in the subsequent Sections, some attention shall be paid.

There are, besides, other circumstances, not perhaps strictly connected with those just mentioned, which certainly merit our attention ; as they sensibly, and in various ways, affect the minds of men. One of these is, to trace the gradual progress of science, as we advance from a barbarous to a civilized state, with the effects of some degree of luxury in our mode of living. Another is, to observe that great degree of eminence, to which some obscure men, of uncommon talents, suddenly arrive, by the vigorous exertion of their latent powers, in the  
times

times of civil wars, or other great commotions in the state ; and without which they would have remained unobserved by the public. I have it likewise in view, to take notice of that wise provision in nature, for the happiness of mankind,—the difference of capacities, degrees of genius, talents, and dispositions among men ; with a feeble attempt to explain from whence they probably originate. Of these particulars, I have no doubt endeavoured to treat in the subsequent Sections ; but cannot say, that they are discussed to my satisfaction. I know they are imperfect, and perhaps a little irregular ; but, such as they are, I humbly submit them to my reader.





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3. *War, as an occupation in a state, obstructs the advancement of literature and the fine arts. Honours and rewards excite the mind to vigorous exertions.*

Parag.

4. *Riches, from commerce, introduce luxury, a refinement in manners, and promote literature and the arts.*

5. 6. *When the reins of government are held by a despotic Prince with an indulgent hand, commerce, literature, and the arts, continue to flourish ; but rigid despotism has a contrary effect.*

7. *Luxury and refinement give taste to literary compositions.*

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Parag.

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Parag.

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Parag.

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29. *Despotism debases the human mind, and obstructs the advancement of every species of knowledge.*
30. *Literature and the arts declined for many centuries, with the extension of the Romish hierarchy ; but were revived,*

Parag.

*on the discovery of the Pandects.—  
That the Pandects were not lost previous to 1137, as generally supposed, is shown in the Appendix, No. II.*

81. *Literature and philosophy increased, after the art of printing, and the dispersion of the Grecian and Roman manuscripts, on the taking of Constantinople, in the 15th century.*
32. *Freedom increased gradually, but slowly, with the abolition of feudal services.*
33. *Subsidies being granted, in lieu of the forty days service ; the commutation of the Barons with their vassals for military services ; leases granted ; and the breaking of entails by Henry VII. ; had all a tendency to the establishment of freedom.*
34. *The Reformation rendered the minds of men more inquisitive in the affairs of government, as well as in what concerned the forms of religion.*

Parag.

35. *Till the original purchasers of land from the Barons became the gentry of the country, no general freedom could be said to subsist.*
36. *During the reigns of the family of Tudor, theological disputes, penal statutes, and arbitrary power of the Crown, suppressed the spirit for industry and commercial enterprise.*
37. *After the taking of Constantinople, and the dispersion of Grecian and Roman manuscripts, the study of the ancients, and of literature in general, spread over Europe.*
38. *The Puritans in Parliament, in the reign of Elizabeth, increased in the two succeeding reigns, and produced the rebellion, murder of King Charles, and usurpation of Cromwell. Political fanaticism dangerous.*
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Parag.

*that otherwise would have remained in obscurity.*

40.41.42. *The effects of that general excitement of the mind, occasioned by civil wars, and revolutions in government.*

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Parag.

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53. *Manufactures, trade, and commerce, and an influx of wealth, appear to have kept pace with the increase of freedom from 1650 to the Revolution.*
54. *The government of Scotland anciently aristocratical. From the accession of James to the Crown of England, till the Revolution, despotic.*
55. 56. *The despotic power of the Crown, and the oppressive privileges of the Barons, in Scotland, suppressed all spirit of industry, till after 1748.*
57. *Literature, arts, and commerce, have increased faster in Scotland, since 1748, than in any former period.*
58. *True freedom, and security of the subject, commenced not till the Declaration of rights, at the Revolution.*

Parag.

- 59, *The progress of science, literature, and the arts of peace, appears to have kept pace with the gradual establishment of our free constitution.*
- 60, *Subjects proposed for Section Fourth,*

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Parag.

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Parag.

*acquired in youth, interest, and sometimes from accidents.*

71. *Attachment to the mechanical arts, from education, example, and the force of habit.*

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73. *The same mechanical employments carried on by the Hindoos, from father to son, for thousands of years, has obstructed their improvement.*

74. *The despotic power exercised in the East, benumbs the faculties of the mind, which is exemplified in a remarkable manner in the Coolies.*

75. *The great consumption of time, by the Chinese youth, in learning to read and write their language, retards their improvement in other studies.*

Parag.

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Parag.

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Parag.

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89.

Parag.

89. *The great estimation and respect in which our opulent merchants are deservedly held, contribute exceedingly to the prosperity of this country.*



**OBSERVATIONS**  
**ON THE**  
**PRINCIPAL CAUSES WHICH**  
**PROMOTE OR RETARD THE ADVANCEMENT**  
**OF LITERATURE, COMMERCE,**  
**AND THE ARTS.**

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**SECTION I.**

**A FREE CONSTITUTION, WITH AN EQUALITY  
OF RANKS, IN RESPECT TO THE LAWS, FA-  
VOURABLE TO COMMERCE, LITERATURE,  
AND THE ARTS.**

*Par. 1.* It has been remarked, that such a refinement in the mode of living, as is productive of social intercourse among men, in the prosecution of their amusements, and in the pleasures of the table, when used with moderation, tends greatly to the improvement of

the mental faculties. It is in meetings, held with the express intention of communicating useful discoveries, and improvements in the arts, and sometimes criticisms on literary compositions, that men receive that great variety of information which enlarges the mind. Convivial meetings of the same men, for cultivating friendship, and a more intimate acquaintance with one another, have nearly the same effect. Besides, the superior abilities and capacities of the most learned and best informed, tend to excite an emulation among the other members. Though we must not go too far in ascribing the improvement of the mind to a particular mode of living; yet it may be remarked, that the hard exercise, and course of the mechanic and labourer, are ill suited for contemplation.

2. Men addicted to study, and of course to a sedentary life, require food of easier digestion, and somewhat cordial. This indulgence,  
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in the choice of their food and of their pleasures, tends to lessen their muscular strength, but seems to improve their external senses; especially if their pleasures or studies lead to the frequent exercise of them. \* This manner of living, which has such a tendency to the improvement of the organs of sense, naturally begets a refinement in their pleasures, and some degree of epicurism, in the modern sense of the word. A bright genius, and great capacity, with a remarkable vigour in the exercise of the mental faculties, the result of a happy formation and constitution of the brain, have sometimes arisen in uncultivated ages: witness some of the poets and philosophers of ancient Greece. But in those barbarous times, such

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remarkable

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\* The difference between the uncultivated eye or ear of a youth, and these organs in the same person, when he has become an eminent painter, or musician, would scarcely be credited, did not experience show to what an astonishing degree of accuracy they may be improved. Similar remarks are applicable to the other senses.

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remarkable persons, who shone like meteors among their contemporaries, were rare. For it has been observed, that luxury and a refinement in the mode of living, have usually preceded a general inclination in the people, for the study of literature and the polite arts.

3. In the ancient periods of Greece, when the Peloponnesus was divided into many independent states, and war, to maintain that independence, was the chief occupation of each republic, the arts of peace made but slow progress. While the Spartans kept to the strict observance of the rigid laws of Lycurgus, chiefly calculated for conquest, or defence, refinement in manners was, in a great measure, incompatible with their system of government. The Athenians, who were not under so severe a discipline, from the laws and institutions of Solon, showed, more early than their neighbours, a propensity to the study of literature, taste and elegance. War at home, between  
these

these two rival republics, and the other states confederated with them, did not always obstruct the advancement of genius in literary compositions; for the rewards, and honours, bestowed on eminent authors, at the Olympic games, were great incitements to excel in poetry or in history. If Thucydides, when a youth, wept on hearing Herodotus read his history of Greece, at one of those festivals, we must suppose this expression of his internal feelings, to have arisen from an ardent desire, not without some impression of despair, of being able to emulate, in some future period, the composition of this great historian. Such a state of the mind, when permanent, has a wonderful effect in exciting the mental faculties to excel; and this was perfectly understood by Herodotus, who ventured to foretell to the father of Thucydides, the future reputation of his son as an historian.

4. The introduction, however, of wealth,  
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is the source of luxury and refinement ; and the Athenians, in this respect, had the advantage of the other states. Their ships of war, and vessels for commerce, were more numerous than those of any of the republics in the Peloponnesus ; and, of course, individuals became rich by trade, plunder in war, and sometimes by piracy. Pericles appears to have observed the consequences of this wealth flowing in on Attica, in polishing the rude manners, and abating the fierce spirit, contracted in war, of its inhabitants. He, therefore, promoted these good effects by the amusements of the theatre, at the expence of the public treasury, by encouraging all of his countrymen, who had any turn for literature or the fine arts ; and by inviting, not only the most eminent artists, from foreign parts, but even courtezans of elegant manners. By these means, during his administration in Athens, poetry, history, philosophy, architecture, sculpture, and painting, arose to as great a degree of perfection, as at  
any

any other period in the history of Greece : and they continued to flourish till the time of Alexander.

5. This prince was a great encourager of philosophers, of learned men, and of artists ; and had he lived, it is probable, his character, in this respect, would have been similar to that which Augustus afterwards acquired. For, though Alexander appears to have had an absolute authority over Greece, and some of his conquests in Asia ; yet he held the reins of government with an easy and indulgent hand over his subjects. Besides, the Grecians had not forgotten the liberty they had possessed under the republican governments ; and which they enjoyed as much during the reign of Alexander, as was consistent with the despotic power of that prince. But after his death, when his empire was divided among his general officers, the wars of one province against another, and the greater degree of despotism which

which succeeded, produced their usual effects in causing the arts and sciences to languish ; and, from a continuation of similar causes, they never revived to the degree in which they existed in the time of Pericles or Alexander.

6. Similar observations may be made on the progress of literature and the arts among the Romans. During their republic, when the Senate and people adhered to a strict observance of the laws, when their wars were confined to the states in Italy, and few individuals were rich, their advancement in the arts of peace was slow. \* But soon after they engaged in foreign conquest, and many persons became opulent, a refinement in the mode of living was gradually introduced. As the Romans extended their conquests, wealth flowed in from the provinces ; but the republic gradually lost its stability at home : this began to decline even before the end of the last Punic war, and the

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\* *Vide* Appendix, No. 1.

the destruction of Carthage by Scipio *Æmilianus*. But the Consuls, Proconsuls, and other successful commanders of the troops in the provinces, with the officers under their command, all acquired riches; and some became possessed of immense wealth.

7. Goldsmith, taking a review of the history of the Romans, and of their cruel civil wars, from this last mentioned period to the perpetual dictatorship of Sylla, says, ‘ Yet still, during this interval that we have been describing, all the arts of peace had been cultivated, and had almost arisen to the summit of perfection. Plautus and Terence, it is true, flourished some time before; but Lucretius, the boast of his age, who exceeds as much in poetry as he falls short in philosophy, adorned these ill-fated times, and charmed with the harmony of his versification. Learning, however, was chiefly cultivated among the great; for luxury had not, as yet,

‘ yet, sufficiently descended to the meaner ranks,  
 ‘ to make them relish the elegant gratifications  
 ‘ of life: for mankind must, in some measure,  
 ‘ be satisfied with the pleasures of sense, before  
 ‘ they can think of making new inlets into the  
 ‘ pleasures of imagination.’ Expensive and  
 elegant entertainments being introduced by the  
 great and opulent men of the state, for them-  
 selves and their retainers, they were, in a great  
 measure carried on by the same class of men,  
 through the distracted times of Cæsar and Pom-  
 pey, Anthony and Augustus. During the first  
 of these periods, I need only mention Cicero  
 as an orator and philosopher, and Cæsar him-  
 self as an historian. But, subsequent to their  
 death, every person, able to bear arms, being  
 obliged to assume the military character, the  
 men of genius, capable of literary compositions,  
 did not appear in their full splendour, till the  
 republic was fully settled under the administra-  
 tion of Augustus. In this happy period, when  
 the effects of the destructive civil wars were in

a great measure forgotten, and when tranquillity and a social intercourse among men took place, poetry, history, and other branches of literature, rose to a higher degree of perfection, than in any other period of the Roman history.

8. Whoever peruses the histories of Greece and Italy, and the classics of both countries, especially of the latter, will, from the elegant style in which they are written, perceive them to be the works of men of polite literature, and often of the highest rank in the state. Many of the Emperors themselves were authors ; and though few of them were writers of reputation, yet they appear to have encouraged literature and learned men. But these men of eminence, among whom philosophy, law, poetry, and history, were cultivated, were of too high rank to be employed in the improvement of the arts, which of consequence did not keep pace with the advancement of literature

terature among the Romans. For the art and practice of war, in both countries, were held to be the most honourable profession ; and every citizen being a soldier, they disdained any menial or handicraft employment ; which were carried on by their slaves.

9. In time of peace, next to the culture of their lands, in which they were assisted by their slaves, was the study of their constitution, the laws, and the form of process carried on in the civil and criminal courts. This created a general inclination in the citizens to attend these courts, especially in causes where they or their friends were interested ; by which means, they became better acquainted with the laws, as well as the opinions of judges, in particular cases ; and, by this information, they gradually acquired a degree of oratory, and sometimes of eloquence. This species of education was improved by conversation with their companions in the forum, or other public places of resort, and

and by attending to the harangues of their public magistrates. The stratagems in war, and the arts of negotiation, likewise exercised their minds ; and the exhibitions in the public theatres, tended greatly to improve their knowledge in history, as well as their taste in poetry and in the drama.

10. This general improvement of the mind, among the citizens of the republics of Greece and Rome, arose from the daily exercise of their mental powers. Some men of capacity and genius, have been observed to remain unknown to the public for many years, for want of occasions to call forth the powers of their minds. This was, in a great measure, obviated in the above classes of people, by the daily opportunities they had of shewing their superior parts to their fellow-citizens. It is in this way only, we can account for more of their generals and legislators having arisen, from the class of citizens, than can now take place, from the con-



stitutions and police of the states of Europe. The number of the Plebeians, however, who arose to power and eminence in the republic, were few, compared to those who were taken from the higher ranks; for, besides the influence which these last derived from their riches, their more finished education and independence gave them a decisive superiority, in acquiring the great offices of the state. A few others might remain unnoticed among the citizens, equal in parts to their more fortunate companions, who had risen to some of the high offices in the republic; but a greater number would be of a subaltern character. For at all times, and in all nations, the great body of the people, from a meanness of capacity, are incapable of any high degree of information, and remain unfit for any thing, but the labours of the field, or the mechanical exercise of their weapons in war.

11. From this very limited state of the human mind, in the lower classes of the people, always accompanied with a want of discernment and judgment, for the regulation of their conduct, arose that anarchy, civil dissensions, and sometimes civil wars, we so often meet with in the histories of Greece and Rome. This was evidently owing to their being possessed of more power in the state, than was consistent with good government. As almost every citizen had some influence in the election of their magistrates, and in the trial and condemnation of the accused, some of the most turbulent demagogues were elected into the magistracy; and many of the most eminent, patriotic, and useful members of the republic, were accused, condemned, and driven into banishment, or into rebellion. This power, exercised by the common people, and afterwards assumed, by the soldiery of Italy, has always been considered as the weakest, most exceptionable, and most dangerous part of the government of

Rome. It appears, from the histories of the republics of Carthage and of Rome, that during the century which elapsed from Aristotle to Hannibal, the people of Carthage became more powerful than the Senate; at Rome, the Senate were more powerful than the people; and to these circumstances, chiefly, the most judicious author of antiquity, ascribes the very different fortune of the two nations, in the ever memorable wars waged between them. \* Though this shows us how little the populace is to be trusted with power; yet as the industrious among them, collectively taken, are the most useful members in the state, and in them consists the strength of the nation, the legislative power ought, on every occasion, to provide for their security, their liberty, and to promote their interest in the several ways in which they are employed. This class, however, among the Romans, from their mode of living, probably had more urbanity, loquacity,

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\* Polyb. lib. VI.

city, and a better language, than the uninformed slave, whose life was spent in days of labour. But, from a deficiency in judgment, they were capricious, easily imposed on, and usually adopted the opinion of the last speaker.

12. The Romans, who were a nation of husbandmen and soldiers, acquired their riches chiefly by conquest in war, and afterwards by money levied from the conquered provinces. By these means, and by taxes raised in Italy, the public treasury was supplied ; and many of the Consuls, Prætors, Quæstors, their substitutes, and other subordinate officers of rank in the army, acquired great riches in the countries subjected to Rome. When this wealth made its way into Italy, it would no doubt have the effects already mentioned, of introducing luxury, and a refinement in manners, among those of independent fortunes : it would also promote agriculture and the arts. But as riches, thus obtained, are not so equally dif-

fused through all ranks, as when acquired by commerce, which gives employment to men of every condition, the great body of the people remained in poverty, and dependent on their patrons. That pride among the soldiery, which made them disdain almost every mechanical employment, was likewise a great loss to the state. Their long practice in the art of war, the strict discipline, and bravery of their troops, gave them, for several centuries, a great superiority over their more opulent, but feebler neighbours, the Greeks and Asiatics. In the arts subservient to war, in constructing fortifications, in making highways, in building aqueducts, bridges, and amphitheatres, they were perhaps superior to other nations. It is true, that the Greeks excelled them in architecture, sculpture, and painting. But in many of the public edifices of the Romans, that still remain, are to be seen great grandeur of conception, and an excellent execution of their design.

13. Though the Romans certainly carried on a considerable trade with their provinces, yet we must consider them more as a military, than a mercantile people. The inhabitants, in the sea-port towns, from their local situation, habits, and example, would become sailors or merchants; but not having a sufficiency of manufactures, and other commodities for exportation, many of their vessels would be mere carriers of goods from the provinces; and, of course, the balance of trade must have been considerably against the mother country. Notwithstanding what has been said of the high cultivation of the lands in Italy, prior to the civil wars, yet it is known, that, by the reign of Augustus, the opulent men of the state had laid out large portions of land, in pleasure-grounds and fish-ponds, of which Horace loudly complains. It ought likewise to be remarked, that, after the Romans had made considerable conquests abroad, tillage in the neighbourhood of Rome must have been

very much discouraged, by the distributions of corn which were frequently made to the people, either gratuitously, or at a very low price. This corn was brought from the conquered provinces, several of which, instead of taxes, were obliged to furnish a tenth part of their produce at a stated price, about sixpence a peck, to the republic. The low price at which this corn was distributed to the people, would necessarily sink the price of what could be brought to the Roman market from Latium, or the ancient territory of Rome, and must have discouraged agriculture in that country,

14. From the increase of population, and the great numbers that were unemployed in times of peace, they were often obliged to have recourse to Egypt, Africa, Spain, Sicily, Sardinia, and other places, in, or adjacent to, the Mediterranean, for grain. This article often supplied the place of tribute ; but when its value exceeded the stipulated sum, the exchange would

would be made chiefly in money, as must have been the case for many necessary commodities, and especially for those of luxury. \* This species of traffic, and the exportation of specie for the payment of their troops in foreign service, would bring on a circulation of money between Italy and the provinces, not much in favour of the former. It has already been remarked, that the chief men in the administration of public affairs, and the principal officers in the army, became rich ; but the great body of the people continued in a mean, dependent situation.

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\* It is true, that during the administration of Julius Cæsar, and afterwards in that of Vespasian, Trajan, and others of the Emperors, sumptuary laws were enacted against luxury, and great pains were taken to suppress it ; but it appears that the execution of these laws was temporary, and that the Romans returned to every species of indulgence that accorded with their circumstances.



15. Something similar to this has taken place in the kingdom of Spain, since the discovery of America in 1492, from the almost incredible wealth which has been annually received by the Spanish government from Mexico and Peru. The immense annual importation, ever since the end of the 15th century, of near four millions Sterling, for the public treasury, seems not to have added to the strength or real riches of that nation,\* once the most powerful and warlike in Europe. The viceroys, governors, deputy-governors, superintendants of the mines, and other officers of

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\* The great quantity of plate in the houses of the nobles, great landholders, bishops, and dignified clergy, which is immense; and the silver, gold, and precious stones in the cathedrals, churches, and chapels, wrought into altars, custodiæ, images, and various devices for the preservation and ornament of relics, which are inestimable, are not here taken into consideration; for that bullion, which cannot be brought into circulation, is nearly in the same state, in regard to the riches of a nation, as if it were still in the mine.

of the Crown, sent to South America, have each in succession, after some years residence, returned to the mother country with great riches. As these men soon after became possessed of vast tracts of land, they increased the aristocratical power in Spain, already too great for the freedom and security of the subject. The Spaniards, who bore arms in the 16th century, were perhaps the bravest and best disciplined troops in Europe; but, in times of peace, gave themselves up to idleness, being perhaps too proud for the practice of agriculture, or the mechanical arts. A few manufactures, only, being feebly carried on, and large districts of land remaining uncultivated, they have been obliged to import, from foreign nations, immense quantities of merchandise; and not having a sufficiency of wine, fruits, grain, or home manufactures to give in exchange, it has continued to drain them of the greatest part of their specie.

16. It has been remarked with great truth, by authors who have written on the affairs of Spain, that the expulsion of the Jews, in the time of Ferdinand and Isabella, to the amount of eight hundred thousand, was extremely impolitic. This error was increased in the reign of Philip III., by the expulsion of the Moors about 1611, to upwards of a million of people. By thus banishing nearly two millions of their most useful inhabitants in agriculture, arts, manufactures, and commerce, the power and interests of Spain were most essentially hurt. This measure, the most impolitic that could be devised against the interest of a mercantile country, was such a blow to the industry of the nation, as is still felt by the Spaniards, at the distance of nearly three centuries from the expulsion of the Jews. But this ought not, as usual, to be altogether ascribed to so considerable a depopulation of the country, as the banishment of such numbers must have occasioned; the effects of which should have

have been only temporary. It was the expulsion of such a multitude of their most expert, active, ingenious, and useful hands, in every species of manufacture and traffic, that contributed so much to the decline of that kingdom, as a mercantile nation. The Spaniards who remained had not profited by the industrious example of their former neighbours, the Jews and Moors ; they were proud, fanatical, lazy, and in poverty, which is the most unpropitious state we could devise for the prosperity of a country. They were, in consequence of this poverty, and the want of a sufficient quantity of aliment to nourish themselves and their offspring, in no condition to increase the population of the state. Besides, the oppressive taxes so obnoxious to the manufacturer and merchant, (and which I have had occasion to state, more particularly, in my Treatise on Population), must increase the poverty of the people, as they obstruct every species of traffic.

17. This great blunder in the Spanish government, might no doubt have been rectified in time, had a greater liberality, with regard to Protestants, been adopted, and proper encouragement given to foreigners to settle among them. But the bigotry of the clergy, of the people in general, of the court itself, and, more especially, the terror of the inquisition, deterred every foreigner, not a Roman Catholic, from ever thinking of living in Spain. The number of the people in that country, however, has not been so considerably diminished, by the occasional emigrations of the inhabitants to their settlements in South America, as has been commonly alleged ; but the immense number of their ecclesiastics, of the men and women shut up in convents, have had, in this way, a considerable effect. The alms and provisions daily distributed at the palaces of the bishops, and from their numerous convents, encourage idleness and profligacy among the lower ranks, and greatly augment the

the number of their poor, who infest the streets of every town and city in Spain. \*

18. My chief intention, in the remarks I have made on the influx of wealth, from the Provinces, into Italy, at certain periods, and the great quantity of the precious metals that have been transmitted from South America to Spain, has been to show, that, under such governments, they must be considered merely as articles of traffic, which will soon make their way into other countries. For, although experience seems to prove, that great riches, acquired by individuals, and especially by those of a liberal education, have a tendency to promote general literature, and bring into fashion the polite arts ; yet, where agriculture and manufactures are neglected, the balance of trade must ever be against the country. I have been informed, that the Spaniards have, of late years,  
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\* *Vide* Travels through Spain, in the years 1778 and 1779, by the Reverend Joseph Townsend.

paid more attention to the culture of their lands, and the encouragement of manufactures, than in former times ; but while an absolute Monarch reigns in a country, where the most rigid precepts and practice of the Roman Catholic religion is so firmly established as in Spain, an extensive lucrative commerce is scarcely to be expected. Though an absolute monarchy, with a considerable aristocratical power in the state, is among the worst constitutions for the encouragement of literature, or the extension of commerce ; yet, sometimes, both, have flourished under such a government. But these happy æras we must suppose to have been accompanied with a mild administration, the patronage and encouragement of the reigning Prince, and great men in the state, without which, men of genius and learning, in narrow circumstances, can seldom become very remarkable.

19. This cannot, perhaps, be better exemplified, than by recalling to the minds of our readers, the generous protection and support, which many of the Kings and nobles of France have given, at different periods, to the sciences, philosophy, literature, agriculture, and every useful art. This shows what advancement may be made in those particulars, even under an arbitrary Monarch, when equity, justice, liberality of sentiment, and wisdom prevail among the leading men of the nation, who seldom fail of inspiring the reigning Prince with the same noble principles. This has been the case in France, in a more eminent degree, than in any other nation on the continent, ever since the revival of letters in Europe. From such encouragements, the age of Louis XIV. produced in France many of its best authors and artists, who have been so much admired and followed: besides conferring pensions on learned men throughout all Europe, his academies were directed by rules, and supported by sala-



ries. The memoirs of these academies, and other publications by individuals, show to what a height of improvement, science and every useful art may be carried by industry and emulation, even under the most absolute Monarchs, when properly directed and encouraged.

20. But what I have just mentioned, and the great character which the philosophers and artists of France have maintained for some ages, appear no doubt to contradict my assertion, and what is generally believed, that an absolute monarchy favours not the advancement of philosophy, the arts, and the extension of commerce. But the general love of literature and the arts among the French, the wisdom of their ministers, and the great encouragement given by their princes and nobility to men of genius, have counteracted, in a great degree, the bad effects of such a government. It is to these fortunate circumstances, that the world is indebted to the French for  
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those improvements in arts and sciences, which have graced their annals for upwards of a century. Some of their chemical philosophers, among whom stand the names of Lavoisier, de la Place, Fourcroy, Bertholet, and Morveau, have of late eminently distinguished themselves, by apparently decisive experiments in the investigation of the nature and properties of bodies, and in giving us more distinct ideas of the principles of which they are composed. The same subjects have no doubt been prosecuted with ardour and ingenuity, by German and British philosophers ; but still the reputation of the French is deservedly held in high estimation, on account of their demonstrations, of the composition of certain substances formerly held to be elementary principles. By the joint labours of these men we have become better acquainted with the several vapours, or gases as they are called, which compose our atmosphere ; with the formation of water from the union of inflammable and pure

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airs ;

airs ; and the nature of combustion, in which pure air is the principal agent. The basis of this pure or imperial air is shown by experiment to be the universal acidifying principle in bodies ; hence, it is called by Lavoisier, oxygen. From its junction with different gases, are formed all the variety of acids in nature ; and from its combination with metals, arise their calces, or occides.

21. The progress that has been lately made in the investigation of the nature and properties of the element of fire, is a valuable addition to the experimental philosopher. Little more was known of this element, than what was taught by Boerhaave, till Professor Black enlarged our ideas in regard to some of its properties and effects, in giving fluidity to all bodies. This subject has since been prosecuted by others, and apparently with so much success, that philosophers are now satisfied, that this subtile, fugitive principle, is a substance which,

which, little resistance being made to its motion, penetrates all bodies, and is lodged in them, either in a quiescent or active state. As my intention, however, is only to give a general idea of the advancement, made of late years, in this branch of experimental philosophy, I forbear to give the analysis of oils, of volatile alkali, and many other substances, of the principles of which we were formerly ignorant.

22. The French, under the disadvantages of an absolute monarchy, a powerful aristocracy, an established Roman Catholic religion, and such a number of convents, and other religious houses, as were in France, before the late Revolution, had made great advancement in every branch of philosophy, the arts, and commerce. From the inhabitants of Britain, however, who, under a limited monarchy, and a moderate aristocracy, enjoy more freedom than any other nation in Europe, more

might have been expected. But notwithstanding the frequent struggles made by the English, at different periods, since the Norman Conquest, for liberty, it clearly appears, that they never did possess real freedom till the accession of William III., or till the commencement of the eighteenth century. After the union of the two kingdoms, when every subsequent act of Parliament became a British act, it was natural for strangers to suppose, that the free constitution enjoyed by the English would be extended over Scotland; but this was not the case. For, by the articles of the Union, the laws, customs, usages, hereditary sheriffdoms, wardships, the hereditary privilege of many of the Barons, and great landholders, to hold courts, for the trial of both civil and criminal cases, even to capital offences, were to remain in force, and inviolate, till a British Parliament should see cause to make such alterations as might evidently tend to the benefit of both nations. After the extinction of the rebellion in April

1746,

1746, it was perceived by Parliament, that the wardholdings, and the courts of the Barons, not only tended greatly to subject the vassals and tenants to a slavish dependence on their superiors, but that, like an infection, they spread their baneful influence through the lower ranks of the people, not under their jurisdiction; on which account these hereditary privileges, jurisdictions, and sheriffdoms, so destructive of the true spirit of liberty, were abolished in 1748, by act of Parliament.

23. From these facts, and others to be afterwards mentioned, it will appear, that the Scots were not fully emancipated from aristocratical oppression, till the passing of the above Jurisdiction-bill, more than half a century after the English had obtained from William their Bill of Rights. The influence which an established freedom in Scotland has had on trade and commerce, during these last fifty years, is most remarkable, not only in the immense in-

flux of wealth, but in the great rise of the revenue of the excise, customs, stamp-office, post-office,\* and the increased value of lands and provisions in this country. From a general diffusion of this wealth through all ranks, a more expensive mode of living, not without some refinement, has been introduced, especially among the middling ranks, and those who have acquired riches by trade or commerce. Artists beget artists, especially in large and populous cities and towns, where every one endeavours to copy that which is excellent in the work of another; and the same thing may be said of commerce, and every kind of employment, by which riches are to be acquired.

24. In addition to the societies that formerly subsisted, there have been, during the above period, several others instituted for promoting and encouraging arts, manufactures, agriculture, and every species of husbandry; many

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\* *Vide* History of the Public Revenue of the British Empire, Part Third, by Sir John Sinclair Bart.

many of the members of which have been eminent for their skill and practical knowledge in the several subjects brought before them. Besides these aids, the great encouragement given by Parliament, for the advancement of commerce and the useful arts, the patronage of the King, many of the nobility and gentry of the kingdom, and, above all, by the indefatigable zeal and industry of individuals, whose reputation and interest have been strongly engaged in particular arts or manufactures, many of them have of late been rapidly improved to an astonishing degree. It is unnecessary to give a long list; the names of Harris, Herschel, Watt, Wedgwood, and Arkwright, are sufficient proofs of what I have said. Painting, engraving, sculpture, and statuary, are now carried on by greater artists than England ever produced in any former period. Our historians and poets, of late years, have at least been on an equality with the same class of literary men in the rest of Europe; and our advancement  
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in philosophy, which, for many years past, has been prosecuted by the test of experiment, has been carried further, and with more certainty, than in former times.

25. These are the chief circumstances which have brought our nation to its present flourishing state, in the above particulars, and which must have nearly the same effect in every nation, where they exist in an equal degree. Our local situation as an island, and our country producing large quantities of raw materials for our manufactures, give us, no doubt, in these respects, many advantages over our neighbours, and rivals in trade. Our excellent constitution is another advantage, perhaps superior to any one of those just mentioned, and which influences powerfully the human mind; giving a greater freedom and ease to the exercise of the mental powers, than can be enjoyed in despotic governments. For the security of the person and property of individuals,

viduals, removes every suspicion of injury being done to the philosopher or artist, in their lawful pursuits ; and produces that tranquillity of mind, so essential to the free exercise of its faculties.

26. It is true, that without the encouragement and support of government, of public-spirited individuals, the institution of societies, and the other advantages just mentioned, such a general spirit of improvement in the arts of peace, as has subsisted among us for some years past, could not have been kept up with the same degree of ardour. It is, however, equally certain, that the acquirement of riches, by many individuals, usually precedes a general spirit of improvement in the arts, and in literature. The effects of wealth are so obvious, that it is unnecessary to enlarge on them ; for men who have acquired riches, will naturally suggest to themselves a mode of living more suited to the present rank and power, to which  
wealth

wealth has raised them, than to their former more humble condition. Hence arise improvements in architecture, gardening, agriculture, manufactures, and the mechanical arts. For rich men vying with each other, in the elegance of their houses, gardens, pleasure-grounds, and equipages, has a great tendency to promote the advancement of the fine arts.

27. Prior to these times, hospitality usually prevailed, and the tables of the rich were loaded with great quantities of viands; for there was formerly more of profusion than delicacy in their entertainments. But as men of condition, and in easy circumstances, advanced in polite literature, and in a knowledge of the arts, their taste became, in general, more refined; and the great load of victuals on their tables, gradually gave place to our modern more elegant *modé* of living. This spirit of refinement on the hospitable boards of our ancestors, is now generally practised by the rich, in  
sumptuous

sumptuous and elegant entertainments, and descends through persons of lower condition, becoming gradually less splendid, till we arrive at the neatness and simplicity of the middling ranks. For vanity, and a spirit of imitation, so powerful in their effects, have introduced a general practice of entertaining, even to the tradesman and mechanic, who have become comparatively rich on the profits of their business. This diffusion of wealth, through all ranks, has, of itself, a wonderful effect in promoting every species of improvement. For the mutual information received, in the frequent meetings of artists and men of literature, in friendly visits, and sometimes in convivial meetings, has an evident tendency to improve each in his particular pursuit.

28. In this Section are pointed out the principal circumstances which appear to have had a decisive influence, in promoting or retarding the progress of literature, commerce, and

and the arts. To illustrate these facts, recourse has been had to particular æras in the Grecian and Roman republics; reasons are suggested, why the balance of trade with the provinces was against Italy during the Roman empire. The particular causes that have operated against Spain, for these two hundred years, in producing the same effects, have been stated; and in a general way have been mentioned, the beneficial effects of freedom and industry in our own time. But to elucidate this subject more fully, it may not be improper to take a short view of the effects of despotism, in suppressing the genius of men, and in producing a gradual decline of science, philosophy, literature, and the arts of peace, from the flourishing state of the Romans, in the time of Augustus, till the almost total extinction of their empire. After this, I propose to reverse the picture, by glancing at the history of Britain, which has arisen from a state of barbarism and slavery, to freedom and independence.

dependence. For our island, which has undergone so many struggles for freedom; and with the revolutions of which we are best acquainted, appears, in this respect, to claim the preference to any other nation in Europe. In the prosecution of this subject, I shall endeavour to trace the gradual emancipation of the inhabitants from slavery, and the effects of liberty and security under the laws, in giving a general spirit for industry and trade, which is always followed by an influx of wealth, and all its consequences.

## SECTION II.

DESPOTISM BENUMBS THE HUMAN FACULTIES,  
AND DEBASES THE MIND; BUT THE MENTAL  
POWERS ARE GRADUALLY ENLARGED  
AND IMPROVED, AS MANKIND ADVANCE TO  
A STATE OF FREEDOM.

29. In the preceding Section, it was remarked, that literature and the arts rose to a  
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higher degree of perfection during the reign of Augustus, than in any former period. This was justly ascribed to a greater security of the subject under the laws, a more equitable dispensation of justice, and the greater degree of freedom enjoyed by the Romans, than in former times. But Tiberius, and most of his successors in the empire, were so despotic and cruel, that little regard was paid to justice, or to a proper execution of the laws; the high ideas of freedom were gradually lost, and a spirit of licentiousness proportionally gained ground among the soldiery. The mild or prosperous reigns of the few Emperors, who might be called good, were not sufficient to bring back that love of literature and the arts, that had formerly subsisted among the Romans. For as the inhabitants of Italy became more dependent on the will of a military force, it by degrees extinguished all emulation, debased the generous spirits of men, and depressed that noble flame by which the fine arts are cherish-  
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ed and enlivened. The great extent of the Roman provinces, obliged the Emperors to call in the assistance of barbarous nations, who, in process of time, overran the whole empire.

30. By this time, literature and the arts had greatly declined, and men sunk every age deeper into ignorance, stupidity, and superstition, till learning and science were almost totally extinguished in Europe. These effects on the minds of men, appear to have increased proportionally with the extension of the power of the Romish hierarchy. For by these means, every species of literature was neglected; even true religion and charity were set aside, to establish the most absurd tenets, and to support the celestial mission of the Popes and Bishops. This had a powerful tendency to degrade and enslave the minds of men, and divert their attention from every other subject. These dark ages continued till the 12th century, when the Pandects were said to be discovered, at Amal-



phi, in Italy, 1137, by the Emperor Lotharius, when he took that town, in the war he carried on against Roger King of Sicily and Naples, \* which, by degrees, diffused a knowledge of the Roman jurisprudence throughout Europe. The Lord Chief-Justice Glanville, published, in 1180, his Treatise *de Legibus et Consuetudinibus Angliæ*; and his compilation served, for many years, as the basis and directory of the common law in England. But, from the Pandects being then universally read and taught, the Civil law was generally adopted in most countries in Europe.

31. In confirmation of the truth of these observations, if we except the Civil law taught till about the reign of Henry VI., by the clergy, to whom all learning, during the dark ages, was confined, no considerable improvement in literature or the arts was observed, till after the taking of Constantinople, in 1453, by Mahomet II. Soon after this, a great number of  
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\* *Vide* Appendix, No. 2.

learned men, who had escaped from that repository of ancient Greek and Roman authors, brought with them into Italy their private libraries, which for many years had been secluded from the rest of Europe. About this time, the art of printing, which from the small beginnings of Lawrence de Costar, in the year 1420, had, by the inventive genius and industry of Faustus and Shoeffler, come to a tolerable degree of perfection, facilitated the multiplication of printed copies of the manuscripts of ancient Roman and Grecian literature. Schools and seminaries for teaching philosophy, history, poetry, and the polite arts, were soon instituted in different kingdoms of Europe; and, of course, diffused a general spirit for learning and improvement.

32. But these circumstances would have availed little in promoting civilization and useful knowledge, had not the rigour of the feudal system, prior to this period, abated consider-

ably in most of the southern nations of Europe, and particularly in England. For the peasants who cultivated the fields, the villains and mechanics, who lived on the lands of the Barons, were held in such bondage and ignorance, as raised them very little above some of the brute creation. By degrees, cities and towns obtained, from the Crown, charters, conferring certain privileges; and corporations were established, independent of the nobility, which gave them, in time, greater freedom, and considerable influence in the state. The laws which secured the persons and properties of the Barons, were gradually extended to their vassals and servants; and these slaves were in this way converted into free men. But the powers of the Barons were still so considerable, and the laws, on that account, so feebly executed, that it was some time after this period, before the people, in general, were fully sensible of the rights derived from these laws. Whoever considers, with attention, the history  
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of this country, must observe, that the liberty of the present day was of very slow growth; for that submissive dependence on the will of the Lord of the Manor, which then existed, and the great command the clergy had over the consciences of the people, were altogether incompatible with the true spirit of freedom.

33. After the accession of Henry VII., trade and commerce were more encouraged than formerly, and individuals became rich. The King, politically, granted to the Peers the privilege of selling their lands: they were bought up by the rich merchants, which had the obvious effect to render the nobility by degrees less powerful. Some considerable time before this, the forty days service in war, required from the vassals by the feudal institutions, was found insufficient for foreign expeditions, and sometimes even for the suppression of civil wars. This inconvenience induced the Parliament to grant subsidies, to enable the Mo-

narch to engage foldiers for a certain pay, and to defray the neceffary expences of the war. In confequence of this alteration in the government, the Barons, and great landholders, fettled a commutation for military fervice with their vaffals; and not being under the neceffity of maintaining fuch a number of retainers, the rents of their lands, formerly paid in kind, were converted into money. But as they perceived, that by conveying a temporary property of farms to their vaffals, their lands were confiderably improved, leafes for a term of years were granted. It was thefe circumftances, of the Barons converting their vaffals into tenants, and granting leafes of their land, that firft leffened the abject dependence of the farmers on their landlords, and diffufed a general fpirit of freedom throughout the country.

34. The reformation of religion, which took place in the 16th century, had alfo a remarkable effect in rendering men more inquisitive

tive and independent. For the same spirit of inquiry which excited them to throw off the Papal supremacy, and to reject the exceptionable tenets of the Roman Catholic faith, carried them on also to inquire into the rights of Kings; their legal powers as first magistrates; and into their own privileges, derived from the laws. Notwithstanding these apparently advantageous circumstances, following one another with so quick a pace, tending not only to promote literature and the arts, but to raise an universal spirit of freedom among the people; yet neither of these took place, in any remarkable degree, for some considerable time after the accession of Henry VII. The mutual jealousy which anciently subsisted between the monarchs and nobles of England, appears to have been the chief cause of the very slow advancement of that permanent freedom among the Commons, which they afterwards acquired. The kings constantly endeavouring to maintain and enlarge their prerogatives, and the

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nobles

## 360 OBSERVATIONS ON LITERATURE,

nobles as uniformly striving to abridge them, and to support and extend their own privileges, were the causes of many insurrections and civil wars. In these struggles for power, it was the prerogatives of the Crown, and the privileges of the nobles, to which both parties chiefly attended; for the interest of the lower classes was almost totally neglected.

35. On such occasions, the kings broke through all restraint, and seemed to live as if above the law : the nobles followed their example, and thought they had the same right to dispense with the law, in regard to their vassals and tenants, that the king observed towards them. In this way, the minds of the people were kept in a most abject state ; for it was only now and then that they dared to rise, ineffectually, to shake off the grievous oppression with which they were loaded. They were not in the state of nations that had once enjoyed an absolute freedom, and could recollect

lect the happy days of their ancestors, to excite them to vigorous exertions, for the recovery of their freedom. Their ideas of a free constitution were imperfect; their efforts to acquire it were not sufficiently general; were sluggish, ill concerted, and, of course, easily suppressed. For it was not till a more equal division of lands took place, and that the successors of the original purchasers were become the gentry of the country, and found their interest equally concerned with that of the meanest peasant in the administration of justice, that a steady and regular execution of the laws was insisted on, and obtained.

36. Though the events just mentioned tended greatly to excite a spirit of freedom among the people, yet there occurred circumstances which retarded considerably its progress. In the course of the bloody wars between the Houses of York and Lancaster, many noble families had become extinct; which gave a considerable



siderable accession of power to the Crown; for none of our Monarchs reigned with such absolute authority as the family of Tudor. This arbitrary power was most conspicuous in the time of Henry VIII., who reigned with a more imperious despotism than had existed in Europe, since the time of the worst of the Roman Emperors. Such a government has a powerful tendency to depress the faculties of men. At this time, too, the minds of the people were much engaged in theological disputes, concerning free-will, grace, the terms of our acceptance with God, articles of faith, and other similar subjects, greatly beyond their comprehension; which, besides idleness, produced its usual effects, in rendering their ideas more stupid and confused. In this state of ignorance and inactivity, our advances to improvement in the arts were very slow; most of the ingenious mechanics were foreigners; of whom there were upwards of fifteen thousand Flemings alone in London, in the reign of Henry VIII.

VIII. \* Consequently, our commerce, chiefly with the Low Countries, was almost totally carried on by foreign merchants, incorporated by Henry III., and denominated the merchants of the Steelyard, till they were abolished in the reign of Edward VI. † For the religious disputes, but more particularly the penal statutes executed in those days against Nonconformists, suppressed that spirit of enterprize so necessary in commerce,

37. This ignorance, and torpidity of mind and body, were chiefly applicable to the lower classes of the people ; for, from the time of the dispersion of the Grecian and Roman manuscripts through Europe, by the Greeks from Constantinople, the reading of these authors became fashionable among the nobility, gentry, and ecclesiastics. The Latin language acquired

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\* Hume's History of England, 8vo. London, 1791. Vol. IV. p. 275.

† Ibid, p. 348.

a classical elegance in the writings of several authors ; philosophy and history, the civil law, the common law, and the canons of the church, were studied with more attention than formerly ; and most men of abilities and fortune shewed a propensity to the prosecution and encouragement of the Belles Lettres. Henry himself possessed talents for literature, and was a great encourager of learned men ; his minister, Wolsey, was himself learned, and a patron of men of genius. The former founded Trinity College, Cambridge ; the latter Christ Church College, Oxford, and the first professorship for the Greek language in that University. \* In the busy reign of Elizabeth, Shakespeare as a dramatic writer, and Spencer as a poet, were then, and have been ever since, deservedly admired ; notwithstanding some errors in their compositions, more discernible now in this age of criticism, than at the  
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\* Hume's History of England, 8vo. London, 1791. Vol. IV. p. 279.

time they wrote. It is this species of writing, the study of the laws of the country, history, and the art of war, that usually precede the advancement of civilization, and the cultivation of the arts and sciences, in nations emerging from barbarity. This is clearly evinced by the histories of Greece, of Rome, and of all other nations, who have arrived at any remarkable degree of liberty and civilization.

38. In the reign of Elizabeth, the Puritans made some appearance in Parliament; but, by the prudence and vigilance of this princess and her ministers, aided by the arbitrary power of the Crown, their republican principles were so effectually suppressed, that they gave little disturbance to the government.\*

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\* When Henry VIII. pretended to separate himself from the Church of Rome, by denying the Pope's supremacy, many of the inhabitants of England were well disposed to the Protestant Episcopal faith; but he acting inconsistently with the true spirit of Protestantism, many suffered,

In the peaceful reign of her successor James, trade and commerce increased; but, by the profuse expences of the King, he was obliged to have frequent recourse to Parliament for supplies, which gave opportunities to the Commons to encroach on the prerogatives of the Crown. These attempts to lessen the too absolute power of the Sovereign, proceeded from a general spirit of liberty among the people; but were chiefly supported by the Puritans, who

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suffered, who differed from him in his ridiculous creed of the real presence, &c. On which account, a number of pious Lutherans went into voluntary banishment in his reign; but more were driven out of the kingdom, by the cruel persecution of his daughter Mary, and her husband Philip. Most of these fugitives went to reside at Geneva, where they embraced, with a fanatical zeal, the rough principles of Calvin; and adopted, with equal fervour, the republican spirit of the country. These men, returning to England under the milder administration of Elizabeth, and affecting a greater purity in the forms of their religion, and in other parts of their conduct, than those inclined to a less rigid discipline in church and state, got the name of Puritans.

who appeared to increase in every successive parliament. This increase of their number, power, and influence among the people, produced the rebellion against Charles I., with all the calamities of the civil war, murder of the King, and usurpation of Cromwell. Not satisfied with a total subversion of the government, they carried their freedom of thought to an excess bordering on insanity, in certain doctrines of faith, very different from the rational principles of the reformed religion. But the liberty they took in reasoning, or rather raving, on religious subjects, which may be called libertinism, in the strictest sense, divided them into a number of sects, many of which subsist to this day. This illusion in regard to the principles of government and religion, to which the capricious vulgar in all nations are easily drawn, by the artful address of demagogues, had, for many years, diffused its baneful influence among the people, and supported the leaders of the rebellion. They were the Puritans,

ritans, Presbyterians, and some men of considerable erudition and capacity ; but who, from the learning of the times, had become enamoured with the forms of ancient republics.

39. It may not be improper, here, to remark, that, in all revolutions of government, and particularly during the continuance of civil wars, the latent abilities of some men are drawn forth, that would otherwise have remained unknown. At such times, the powers of the mind brought into public view and admiration, from men little known, or noted for their abilities, prior to the occasion which called forth the vigorous exertion of their faculties, are more of the active, than of the contemplative kind. The civil wars in Charles's time bred some general officers and admirals, of considerable eminence, from the lowest ranks of their profession, on the side of the parliament. Even men with talents for the cabinet, and as orators in the senate, have sometimes,

on the revolutions of states, been drawn from obscurity ; but such instances are rare ; for, to form a statesman, such a previous education is necessary, as is seldom prosecuted by country gentlemen. \*

40. During the civil wars, which usually precede great revolutions of government, the minds of men are greatly agitated, on the principles of religion, liberty, the degree of power which ought to be possessed by the executive part of the state, and on the form of government to be adopted. They naturally divide into parties, who attack one another with great keenness and animosity, both by the pen and the sword, till victory decides the contest, and peace takes place, with such alterations in government as are dictated by the ruling party. This vigorous exertion of the mind continues not only during the war, † but appears to sub-

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\* *Vide* Appendix, No. III.

† During the tyrannical and oppressive government of Corsica,



list, though in a less degree, for some years after peace has been restored. But as the faculties and dispositions of men are extremely various, it is not, perhaps, one hundredth part of the people that follow the active professions of the army or navy: the rest, according to their dispositions, propensities and capacities, betake themselves to agriculture, manufactures, commerce, philosophy, history, poetry, and the arts. That part of mankind, however capable of reflection, reasoning, and of forming any judgment of the events of the war, will be more or less interested in them, and in the success of the party to which they are attached. In this state of excitement of the mind, its faculties will be exerted

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Corfica, by the Genoese, the inhabitants of that island lost all spirit of industry or improvement. But while the war raged between the Corficans and Genoese, for the recovery of freedom, they erected a university for arts and sciences, a national bank, and a national library; improvements which could never have occurred to them in their former torpid state. *Sketches of the History of Man*, by Lord Kaimes. Edinb. 1788. Vol. I. p. 191.

exerted with greater keenness and force, than in times more peaceful and less interesting. But the hopes and fears, with which men are alternately agitated, will give an irregularity to these exertions; nor will the possessors of genius appear in their full splendour, till peace, freedom, and tranquillity are restored. For when the mind is roused to the full exertion of its faculties, whether in this manner, or by emulation, accident, or necessity, it will, from a desire of being useful, an ambition to excel, or from interest, continue the exertion of its powers, in the prosecution of those studies best suited to its propensities and capacity. But the blessings of peace and security, accompanied with a cheerful serenity of mind, must subsist, before an uniformity in the full exertion of the mental faculties can take place.

41. This state of the mind, disengaged from all domestic embarrassment, seems to have had a considerable influence in forming the

characters of those eminent men, who appeared soon after the establishment of the Roman empire under Augustus. In this reign flourished Livy the historian, and some of the greatest poets that Rome ever produced. But what is called *the style of the Augustan age*, was not formed under Augustus, but under the commonwealth, during the violent struggles for liberty, against Julius Cæsar and his successors, the Triumvirs, which lasted upwards of fifteen years. Among the great men who flourished at this period, were, *Affinius Pollio*, and *Cor. Gallus*, who defended Virgil, and recommended him to Mæcenas, for the recovery of his lands; *L. Helvius Cinna*, and *L. Varius*, *Valgius*, *Virgil*, *Horace*, *Tibullus*, *Propertius*, and *Ovid*, with the most eminent of their contemporary poets, who were bred under the republic, or during the civil wars, for the establishment of liberty, previous to the settlement of Augustus as Emperor. \* Though  
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\* The same observations are likewise applicable to the Grecian



them, were rough, and sometimes harsh, though exalted and manly, like the constitution under which they lived. The politeness and quiet which existed under the government of Augustus, added delicacy to the energy which was so conspicuous in the more distracted times of the civil wars. The mean servility, and blind adulation, paid to the men in power, which began, and continued with the Emperors, had a powerful effect in enervating the minds and style of those authors who wrote after the time of Augustus. \*

42. Somewhat similar to this were the poets and historians of this country, who appeared soon after the restoration of Charles II.

Milton,

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\* Similar observations are made by the learned and very accurate Mr Roscoe, in his excellent history of Lorenzo de Medici, when he comes to take a view of the genius of the Florentines, passing from a mild democratical republic to a rigid despotic government, under a Grand Duke. . London, 1796. 4to. Vol. II. p. 311.; which may be consulted,

Milton, in the sublimity of his ideas and expression, was perhaps superior to any of the ancient poets. Poetry, dramatic writing, and polite literature, were, no doubt, at that time, much cultivated in France and Italy ; but the names of Johnson, Waller, Denham, Cowley, Otway, and Dryden, are, at least, equal in reputation to their contemporaries on the continent, in the same species of writing. \* There is probably some truth in the conjectures I have ventured to make on the effects of a long continued excitement of the mind in individuals of great natural parts ; yet I judge it unnecessary here to enlarge further on that subject. Neither shall I stop to consider the obligations we lye under to the philosophers and artists of former times, and those of the present age, which are so obvious, so well known, and generally acknowledged. I shall, therefore, proceed to mention only a few of those eminent men, who have contributed so much

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\* *Vide* Appendix, No. 4. 5. & 6.

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to the advancement of science and philosophy in England, from the time of the twelfth, when science began to dawn, to the present century; and likewise to consider the gradual progress of arts, trade, and commerce during that period.

### S E C T I O N III.

THE SLOW ADVANCEMENT OF SCIENCE AND PHILOSOPHY, FROM THE TIME OF ROGER BACON TO THE SEVENTEENTH CENTURY.—THE GENIUS AND PROSPERITY OF ENGLAND ADVANCED WITH THE FREEDOM OF THE SUBJECT; BUT WERE RETARDED, IN SCOTLAND, BY THE DESPOTIC POWER OF THE CROWN AND THE BARONS.

43. OUR advancement in the various branches of natural philosophy was, till the fifteenth or sixteenth century, exceedingly slow. This appears to have arisen from authors adhering

hering too strictly to the opinions of the ancients, and following them in their speculative doctrines with too great servility ; and from a dislike to the slow, though more certain method of investigating the truth by experiment. Experimental philosophy, so far as it relates to the discovery of the nature and properties of terrestrial substances, and the principles of their composition, appears to have been carried on chiefly by philosophical chemists. In some of their processes, phenomena occurred, for which they were unable to account ; and they accidentally fell on results, of the causes of which they were entirely ignorant ; they, of course, expressed themselves so enigmatically, and in such mysterious language, as rendered their doctrine in many places unintelligible.

44. An exception to these general observations was Roger Bacon, a Franciscan friar, born in 1214, near Ilchester, in Somersetshire, whose genius, capacity, and industry in philosophical



philosophical pursuits, surpassed every one this country had ever beheld. From the great powers of his mind, and indefatigable application, he acquired such a knowledge in philosophy and the arts, as made him suspected by his ignorant brethren, the Franciscans, of being endued with supernatural powers, and of having communication with the devil. Such was the illiterateness of the times, that he was tried for magic, condemned, and imprisoned upwards of ten years, by Jerome de Esculo, the Pope's legate at Paris, who afterwards rose to the Papal chair. It appears that Bacon, from the vigour of his mind, was not subjected to the usual effects of arbitrary power and persecution of the church, which so forcibly depress the faculties of other men. For, during his confinement, and till the time of his release, about 1288, he ceased not from pursuing his studies and experiments with the same ardour as formerly. \* By an attentive perusal

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\* It is said, that several of his works, not published,  
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perusal of his works, it must astonish every reader, to find that this great luminary of the thirteenth century, was well informed in the theory and practice of perspective; and, in his treatise on these subjects, he discourses on the reflection and refraction of light. He understood the use of convex and concave glasses, and the art of making them. The camera-obscura, burning-glasses, and the power of the telescope, were known to him; though this last is said to be of later invention, by Galileo, in the sixteenth century. It appears that he was well versed in geography and astronomy; that he knew the great error in the kalendar, assigned the cause, and proposed the remedy; that he understood chronology well; was an

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were still extant in manuscript: those that have been printed are, 1st, *Epistola Fratris, Rogeri Baconis, de Secretis Operibus Artis et Naturæ, et de nullitate Magiæ*. Paris, 1542. 4to. Basil, 1592. 8vo. 2d, *Opus Majus*. Lond. 1733, fol. Published by Dr Jebb. 3. *Thesaurus Chemicus*. Francf, 1603—1620.

adept in chemistry ; and was really the inventor of gun-powder. After his release from confinement, he returned to Oxford, where he lived in the college of his order, died in 1294, and was buried in the Franciscan church.

45. This short account of the life and writings of this celebrated author, collected from his biographers, exhibits the portrait of a man endowed with such mental powers, as are seldom observed to exist, in the same degree, in any other person, till after the lapse of several ages. It is certain, that, from the death of Friar Bacon, no person appeared, for some centuries, possessed of equal abilities for philosophical pursuits ; and, of course, our advancement in arts and sciences, during that long period, corresponded not to the brilliant example set us by this illustrious person. Some authors endeavour to account in a singular way for the slow progress which philosophy and the arts made for so considerable a time after the decease

cease of Roger Bacon ; by alleging, that nothing is more fatal to an art, or to a science, than a performance so much superior to all of the kind, as to extinguish emulation. They suppose this to have been the effect which the works of this great man had on his successors, who, they say, lost all incitement to emulation, \* from a despair of coming near to him in the same line of study : for what man, say they, would enter the lists, who despairs of victory ? This way of reasoning is more specious than solid ; for nothing can extinguish emulation, but so great an inferiority of capacity, as precludes a person from following another in a line of study beyond his powers ; which happens to men daily. Were we to estimate the different capacities of men by numbers, and to suppose the highest degree of human genius to be twenty-five, then we must allow the

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\* Sketches of the History of Man, by Henry Hume Esq., one of the senators of the College of Justice, vol. I. p. 192. & 299. Edin. 1788.

the composition and invention of the man, who is arrived only at the eighteenth degree, though greatly above mediocrity, to be inferior to the other of twenty-five, in an exact proportion to the difference of their capacities. Seneca, extolling one Fabianus as a Roman philosopher, allows him to be inferior to Cicero, to Asinius Pollio, and to Livy. But consider, says he, how many that man must surpass, who is inferior only to three, and those the most eloquent we have. If we should suppose Cicero, Asinius Pollio, and Livy, to have shown the highest degree of human intellect, to which mankind is capable of arriving in the several branches of literature in which they were engaged, then we must rank them at number twenty-five. But Fabianus must be placed a degree or two lower, which is still sufficiently high to admit emulation and industry, in the same line of study with these great men. In descending, however, through the other degrees of capacity, till we get below mediocrity,

mediocrity, emulation and hope will gradually decrease, till they are at last extinguished, from a deficiency of intellect to comprehend, and a want of energy to imitate, the works of illustrious men. But this subject I shall have an opportunity of discussing more fully in Section IV., when I come to treat of the great variety of capacities, propensities, and talents among men ; and to show that the subjects of contemplation must correspond to the powers and dispositions of the mind.

46. Prior to the invention of printing, our advancement in literature and philosophy was necessarily very slow. From that time to the commencement of the eighteenth century, several illustrious characters appeared, eminent for their knowledge in philosophy and the arts ; and even poets and historians of great merit. But it is evident, that, during that period, our progress, in these several branches of literature, was greatly obstructed by scholastic learning,

learning, polemical divinity, and metaphysical reasoning, on subjects above the capacity of man distinctly to comprehend. For several years antecedent to the demise of Queen Elizabeth, and during the whole of James's reign, Lord Bacon, especially during the years of his retirement from public business, gave the strongest proof of the great superiority of experiments to vague hypothesis in philosophical pursuits. His *novum organum* is an excellent example of this kind ; and though the subjects of which he treats have since been more fully and accurately investigated, yet this work was of infinite use to his contemporaries and successors, in pointing out the most unexceptionable method of prosecuting their studies in philosophy.

47. Towards the end of James's reign, began a new æra, in our knowledge of anatomy, physiology, and the practice of physic, from the discovery of the circulation of the blood, by the justly celebrated William Harvey. This  
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great man told Mr Boyle, the first idea he had of the progressive motion of the blood through the veins towards the heart, arose from a demonstration of the valves of these veins, by Fabricius ab Aquapendente, while he was his pupil. The use of the *valvulæ tricuspidæ*, and of the *valvulæ mitrales* of the heart, in shutting the right and left auricle during its systole, and of the *femilunares* placed at the exit of the *arteria pulmonalis* and *aorta*, to prevent the retrograde motion of the blood in these great arteries, during the diastole of the heart, was immediately apparent to that contemplative philosopher. But it is somewhat extraordinary, that, although these valves of the heart were described by Galen, in the second century, he drew no deduction therefrom ; and he and his followers remained entirely ignorant of the circulation of the blood through the arteries to all the parts of the body, and its return from these parts by the veins to the heart. During the sixteenth century, anatomical re-



searches appear to have been prosecuted with greater ardour and success than in former times. About the beginning of the seventeenth century, Joannes Baptista Cananus demonstrated the valves of the veins. Some time afterwards, Vesalius, Servetus, Realdus, Columbus, and Cæsalpinus, adopted the opinion, of the blood circulating from the right ventricle of the heart, through the lungs, to the left ventricle. But it is most astonishing, that, after arriving at this knowledge, they appear to have had no distinct idea of the circulation of the blood through the rest of the body. They bewildered themselves with the theories of the ancients, to which they were greatly attached; and their confusion was increased, by supposing the liver to be the organ which converted the chyle into blood. But when the penetrating genius of Harvey, joined to the most accurate judgment, came to investigate, by experiment, the manner in which the circulation of the blood in animals is carried on, the whole was accurately demonstrated.

demonstrated and explained: A discovery, of such magnitude and importance, as must place him in the highest rank of natural philosophers. Some of his works were lost during the civil wars; but that *de generatione animalium*, founded on experiment and observation, shows great industry, judgment, and capacity.

48. Mr Robert Boyle, the intimate companion of Harvey, but a younger man, was born in 1626; and, some biographers have remarked, on the same day Lord Bacon died. His works were various and numerous; but, at this day, it is on account of his experiments in natural philosophy, and his improvement of the pneumatic engine, invented by Otto Guericke, that he is chiefly celebrated. Several properties of the air were discovered; and others, before imperfectly known, were clearly demonstrated by this great man, whose turn for experiments enabled him likewise to improve other branches of philosophy. About

the time when Mr Boyle was at the height of his reputation as a philosopher, appeared another person, who, for extent of capacity, clearness of conception, and profound judgement, was superior to all his predecessors ; nor has he ever been surpassed by any of his successors in philosophy. Every reader will readily perceive, that I mean Sir Isaac Newton, born 1642. His studies were in a different line from those I have mentioned ; mathematics, astronomy, light, and colours, were the objects of his deep meditation. His Principia and his Optics have been the objects of admiration throughout the world ; because of the conviction that each demonstration gives to every intelligent reader.

49. The principal intention of this paper is, no doubt, to point out the causes which promote or suppress the advancement of literature, science, and the arts. There have appeared, however, at different periods, men  
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who, from the extent of their capacities, and vigour of their minds, could not be subjected to the influence of those causes, which suppressed the vigour and genius of other men. We are not to suppose, that such men are insensible of the calamities and oppressions in which their country is involved, under the reign of a tyrant, or the anarchy of Civil war. In the intervals of their meditations, their eyes are open to the miseries of their fellow subjects ; but their favourite study, like a magnet, draws them into retirement, where, from their strong propensity to meditation, they are so-  
laced by the investigation and developement of new truths. Some of these men have been known, on particular occasions, to have their minds so concentrated on the object of their pursuit, as to be unconscious of what has been said or done by others in the same apartment. It is reported of Archimedes, that he was insensible to the noise and tumult in the sack of Syracuse, by Marcellus ; and that, when a sol-

dier broke into his apartment, who was about to put a period to his valuable life, he called to him, not to efface the lines and circles he had drawn, in demonstration, probably, of some difficult problem. Something similar to this has been reported of our countryman, Sir Isaac Newton ; for biographers say, that he has been known to sit, on his getting out of bed, with scarcely any clothes on, till he had demonstrated to himself some proposition, problem, or theorem ; and his neglect of his meals for hours, when in deep meditation, is well authenticated.

50. This capability of intense thought, and the rapturous satisfaction these men enjoy on every new discovery, in proof of their doctrine, diverts them, in a great degree, from the sufferings of the public, and enables them to prosecute their studies, especially if they are in independent circumstances. The philosophers I have mentioned, particularly Harvey, lived  
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not in the most peaceable times ; but they were men of great strength of mind. Mr Boyle was rich ; the rest were in easy circumstances : and though the freedom and security of the subject were not fully settled by law, till the time of King William, yet men, not engaged in politics, appear to have enjoyed these blessings. In proof of this, we have only to remind our reader of the society of philosophers, instituted by Wilkins, who resided at Oxford during the time of the Commonwealth, in the quiet pursuit of their studies. They, after the Restoration, obtained a charter from Charles, under the denomination of the Royal Society of London ; the continuation of whose works have not only done much honour to themselves, and to their country, but have been of great benefit to mankind.

51. During the long and peaceful reign of James I., and in the first ten or twelve years after the accession of his son Charles to the

Crown, trade and commerce increased, beyond what this country had experienced in any former period. A spirit for liberty and democracy had been gradually gaining ground in England from the time of the Reformation, and at last broke out in several unwarrantable efforts of the people, to overturn the ancient government of this kingdom. Then began the Civil wars between Charles and his Parliament, which ended in the murder of the King, and the establishment of a Commonwealth. Before the expiration of this last period, the aristocratical pride of many of the genteel families in England had evaporated. They, seeing the advantages which trade and commerce had over idleness and dissipation, no longer hesitated to bind their sons apprentices to merchants, tradesmen and manufacturers. From that time, the number of industrious hands gradually increased; and, ever since, commerce has been held more honourable in England, than in any other nation in Europe.

52. This circumstance contributed considerably to increase our trade during the Commonwealth, and has ever since kept up an eager spirit for commerce. The disregard at that time paid to monopolies, and their subsequent abolition, was likewise of great advantage to this country. Doctor Davenant affirms, that, from the Restoration to the Revolution, the shipping of England was nearly doubled. This must be partly ascribed to the wars with our commercial rivals, the Dutch, during that period, which essentially hurt their marine and their commerce. If our shipping increases not during the continuance of a war, it is in general observed, that, soon after peace is restored, our commerce is considerably augmented. This is, perhaps, owing to new channels of commerce having been discovered, and to the great sums of money locked up, by the timid or prudent adventurers during the war, who readily embrace the more secure times of peace; being favoured by the great number of sailors discharged



discharged from the navy, and anxious to be employed.

53. From the time that our commerce began to increase in the reign of James, but more particularly from the commencement of the Commonwealth to the Revolution, several arts were introduced in iron, brass, silk, hats, glass, and paper: the art of dyeing by Brewer, from the Low Countries, was likewise a great acquisition to this country. The increase of wealth among merchants, from 1650 to the Revolution, was nearly tenfold. Luxury in dress, and in the table, increased proportionally; and the number of coaches at the Revolution was nearly an hundred to one in 1650.\* This influx of riches from commerce, during the above period, is perhaps the strongest evidence that can be given of the influence of freedom, in promoting arts and every species of knowledge. During the Commonwealth,

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\* Hume's History of England, vol. VIII. p. 132.

monwealth, genius and capacity had their free exercise ; for, being freed from the restraint of authority, every man of inventive powers, or of enterprize, was, from example, and the hope of gain, excited to the prosecution of that particular art, or branch of business, to which his situation, abilities, and genius inclined him. This spirit of liberty, which had been gradually increasing in England for many years, did not cease on the re-establishment of Monarchy ; but continued and brought about the Revolution. All the beneficial effects, therefore, arising from a sense of freedom and security under the laws, that had such influence in promoting the arts and sciences, continued through the whole reign of Charles II.

54. But it must be remarked, that the effects of the Restoration upon the political state of England and of Scotland were widely different. In England, after that event, many of the laws, in favour of the rights of the subject, which

which had been passed by the Long Parliament, were adopted and ratified by the Legislature. In Scotland, by a rescissory act, all statutes passed after 1633 were abrogated; and by various positive acts, the prerogatives of the Crown were extended to a degree that never had been exercised, or claimed, by any of his Majesty's ancestors. \* This alteration in the constitution of Scotland, had gradually taken place from about the end of the 16th century, but more particularly from the accession of James VI. to the Crown of England, in 1603. Before this period, the government of Scotland was more aristocratical than monarchical, as may be clearly discerned from the prerogatives exercised by the States of Scotland, upon the authority of both statutes and precedents: 1<sup>st</sup>, A power to resist the Sovereign, if he invaded the constitution; † and, 2<sup>d</sup>, The King anciently

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\* *Miscellanæ Aulicæ*, p. 173.

† Statutes, part 6th, James II., chap. XXV., in the Black Acts printed by Lek Preuik.

ciently had no negative voice in Parliament : while the States often restrained him in matters of government. *3d*, The Scots Parliament often appointed the times of their meetings, adjournments, and committees to superintend the administration during the intervals of their meetings. *4th*, The King could not make peace nor war without their consent ; the people were armed by their authority ; commanders, and even the guards who attended the person of the King, were sometimes appointed by them : They not only raised money, but, in some instances, appropriated it : They ordered the coining, and regulated the standard of money. *5th*, The Lords of Parliament settled all the fees of officers of justice, of the courts of judicature, and of the officers of the King's house. Faulty Judges were not to be restored without the consent of Parliament. \*

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\* Ancient rights and power of the Parliament of Scotland, printed 1703.

powers were not regularly exercised by the States, nor were they always admitted by the Kings of Scotland ; but there are examples, and even statutes to this purpose, in the early part of the Scots history. It appears, however, that the King sometimes complained that these were usurpations by the aristocracy ; at other times they were sanctioned by his approbation.

55. From this short representation of the ancient constitution of Scotland, will appear the great change made in the government of that country, by their Kings, after they succeeded to the Crown of England. This apparent submission of the nobility, and great landholders, to the encroachments of the Crown on their privileges, was chiefly brought about from the expectation of power and interest being conferred on them, and by the consummate address of artful ministers. Scotland did not, therefore, at the Revolution, receive the  
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same benefit from the laws, that was enjoyed by the English ; for their laws and constitutions were different. In that country, a despotic power was kept up under the administration of Lauderdale, Middleton, and other ministers, employed by Charles and his brother James. Even in succeeding reigns, when the government inclined to a milder and more equitable administration in Scotland ; the minds of the people, in general, in that country, continued still to have a great deal of that cast observable under an arbitrary power. This was owing to an aristocracy, which had always subsisted in the domains of the nobles, great landholders, and chieftains in the Highlands, with feudal and juridical privileges, which they often exercised with a tyrannical sway, to the great oppression of the subject, and debasement of the human character. This great body of men, often too powerful for the Crown, was always so turbulent, that a regular administration of justice could

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could hardly be exercised, throughout Scotland, during the reign of any of their Kings.

56. The younger sons of persons of family, being bred in the aristocratical pride of their parents, and disdaining every employment but that of arms, became officers, or volunteers, in the military corps at home, or went into foreign service. As pride is exceedingly infectious, many young men of lower condition followed their example, which occasioned considerable emigrations from Scotland to foreign parts. It was in the royal boroughs, and in the sea-port towns alone, that arts and commerce were feebly carried on, by men of slender abilities, with small capitals, till about the year 1740, when some sensible men of property lent their credit, and employed their influence in extending the arts and manufactures of their country. But these patriotic endeavours were not, for some years, followed by that success that might have been expected

expected from such vigorous exertions ; for the people, in many parts of the country, were not yet free ; nor were they fully emancipated, till that most beneficial act, passed in Parliament in 1748, abolishing the hereditary jurisdictions of the vassals of the Crown. Soon after this, a spirit of industry and enterprize, seized several men of wealth and abilities, in promoting the several manufactures carried on in this country ; and, ever since, trade and commerce have been continually on the increase.

57. Since the year 1748, Scotland has produced more good authors in history, philosophy, and other branches of literature, and there has been a more general spirit for philosophical inquiry, than ever existed, in the same space of time, in any former age. From which it is easy to perceive how much that freedom of thought, and hilarity of mind, which always attend liberty and security, contribute towards the promotion of arts, com-



merce, and literature. If further evidence were necessary, in proof of what I have alleged, a single glance on the history of England, from the most early period to the accession of Henry VII., will evince its truth. I have already taken notice, that the granting subsidies to the Crown, for the maintenance of an army, in lieu of the forty days service due, by the feudal institution, from the vassals of the Crown, was a considerable step towards the freedom of the subject. Though, from that period, agriculture got into a state of improvement, and trade and commerce slowly increased; yet, till the time of Henry VII., the aristocratical power greatly obstructed their progress. The privilege granted to the nobles of selling their lands, and the abolition of retainers, brought the great vassals of the Crown, and merchants, nearer to an equality in point of wealth and influence in the state. But the severe and arbitrary government of the family of Tudor, counteracted, in a great degree, that spirit of liberty,

liberty, of invention, and industry, which soon afterwards became conspicuous when the people were freed from the fetters of despotism.

58. The violent disputes which had so often taken place, between the Kings and their Parliaments, on the subjects of prerogative and liberty, especially during the reigns of the family of Stuart, were so fresh in the minds of men at the Revolution, that the Convention annexed, to the settlement of the Crown on William, a declaration of rights. In this declaration, all the points that had of late years been disputed, between the King and the people, were finally determined; and the powers of royal prerogative were more narrowly circumscribed, and more exactly defined, than in any former period of the English government. This was the æra at which true liberty may be said to commence; but in the succeeding reigns, so many acts of Parliament have passed, explanatory of the declaration of rights,

and on other points, not therein suggested, all tending to the melioration of our constitution, and to the further security and freedom of the subject, that our government may be said to have been, ever since, constantly in a state of improvement.

59. I have endeavoured, throughout this Essay, to show that the progress of philosophy, science, literature, and the arts of peace, has, in a great degree, kept pace with the gradual establishment of freedom. During the eighteenth century, especially in the last fifty years, the arts and manufactures of this country have been greatly improved; several new manufactures, lately introduced, have been conducted with such judgment and skill, as to make the demand for inland sale and foreign markets considerable. Our exports and imports have so increased, that we are justly esteemed the greatest commercial nation in Europe; to which some improvements in navigation, in victual-  
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ing our ships, in preserving the health of our seamen, and in the art of ship-building, have greatly contributed. This flourishing state of our trade and commerce has had a considerable influence on agriculture, and on the product of grass farms ; for the demand on the farmer will always be in proportion to the number of useful hands employed ; to the state of population, which appears to be on the increase ; and, in plentiful years, to the quantity of grain exported. These several advantages from trade, commerce, and the diligent culture of our lands, have brought to this country an influx of wealth, and have introduced among the opulent, luxury and a refinement in their mode of living, to a degree unknown in former times.

60. Some observations and reflections on the different degrees of capacity, genius, and the various dispositions and propensities of men, which could not, with propriety, be introduced in the former part of this treatise, I propose

for the subject of the following Section. I shall likewise endeavour to consider, with attention, the effects of education and habit, and make some observations on the result of narrow circumstances and opulence, in rendering the mind more or less active in its pursuits.

#### SECTION IV.

ON THE DIVERSITY OF CAPACITIES, GENIUS,  
EDUCATION, AND HABITS OF MEN.

61. The number of men of capacity and genius, compared to those nowise remarkable for either, is very small. This difference of the intellectual powers among men, I believe to be owing chiefly to a variety in the formation and constitution of the brain, \* and partly to education, the opportunities they have had,

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\* *Vide* Section VII. On the formation of the minds of children, &c.

had, or the necessity they have been under, to exercise their mental powers. For the effects of the first cause, I must refer my readers to the very accurate observations of the ingenious Mr Lavater, whose general positions, with regard to the capacity and formation of the skull, appear to be established on experience. The improvement of the mind, by education, will be in proportion to the application, the opportunities of information, and the capacity of the student. The quick conception of some men, and the facility with which they receive every information, when compared to the stupid and confused brains of others, is almost inconceivable. With what facility do young men of genius acquire their instruction at school; and how quickly do they comprehend the principles of every branch of literature, to which they apply themselves in the University, even amidst amusements almost to dissipation. The reverse is observed in dull young men of mean capacities, who sometimes labour much

more, but never can acquire the same degree of knowledge. These last, however, though they may never arrive, even at mediocrity among men of learning, yet acquire, in the company of their superiors, an urbanity and address, which distinguish them from the lower ranks of illiterate men. It is this laboured education, and living in a genteel society, that makes the apparent difference between them and the rustic in the fields, who had by nature as good a capacity. For most of these men of labour, from an apathy of intellect, which is seldom exercised, but in the labours of the field, or in the management of their cattle, and of their horses, become stupid, and slow in comprehending any information out of the line of their daily employment. When this is over, their mind, like a machine, is at rest, as soon as the impulse that set it in motion has ceased.

62. Opulent or independent men of genius have a great advantage over those who  
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are equal to them in mental powers, but more dependent, or in narrow circumstances. They do not always, however, avail themselves of their fortunate situation : they commonly take pleasure in examining the works of others, of which, from their general knowledge of arts and literary compositions, quick perception, and great taste, they are competent judges ; but seldom become authors. This is more particularly the case with those who prefer the splendour of a court, and the power and influence annexed to some high office in the state, to the pleasures of literary pursuits, and that which they might receive from the company of learned men. Though the possession of wealth gives the command of libraries, the society of men of genius and learning, the knowledge of every new invention in arts, and of travelling into foreign countries for improvement, yet it has likewise its disadvantages. For power and influence are the concomitants of riches, and draw even the most reluctant into political



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political views, to serve his friends, his country, or himself. He must pay some attention to his private affairs, which, with the visits and entertainments he receives, and is obliged to repay, necessarily occasions a great consumption of time. The compositions of these men, therefore, in the branches of literature, to which they apply, are in general short; but for matter, method, elegance, and perspicuity, show clearly what we might expect from them, could they undertake works of greater length. This can seldom be done, unless they allot particular hours for study, or retire to the country on that account. Scipio Æmilianus, and Lælius, are said to have composed the most elegant passages in Terence's comedies, and to have given a polish to the language in other parts; but Terence himself took the labouring oar in the whole of his compositions.\* In paragraph

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\* Something similar to this happened in our own country, about the beginning of last century, when our celebrated

graph 41. are already mentioned the names of several celebrated men, who lived in the time of Augustus, and who were said to have been men of great genius, and elegant writers ; but, from the smallness of their compositions, they have been lost ; and the same observations may be made on several of the Greek writers, eminent for their wealth and their genius, whose works have perished, but are mentioned with great encomiums by their contemporaries.

63. To these general observations on the literary productions of some of the ancients, most eminent for rank, riches, and brilliant parts, there are some exceptions. No man in the

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celebrated Scotch poet Ramsay subjected his poems to the examination and correction of a convivial club of men of genius, of more elegance and taste in composition than himself, in which were Sir William Bennet of Marlfield, Duncan Forbes Esq. of Culloden, afterwards Lord President of the Court of Session, Baron Kennedy, Judge Graham, Sir John Elphinston, Menzies of Coulterallers, &c.

the state transacted more business than Cæsar, though a man of pleasure : for many years he was at the head of armies, overcame nations, conquered in the civil wars, and afterwards governed the whole Roman empire. Amidst these various employments, in war, politics, and legislation, he wrote his Commentaries, and showed to what excellence he might have arrived in literary composition, had it been possible for such a genius to have remained in a private station. Cicero observes with regret, that if ambition had not drawn Julius Cæsar from the bar to the command of legions, he would have become the most complete orator, as well as historian, in the world ; \* and Marcus Aurelius and Justinian, as Emperors and as authors, are equally well known. Such men have been, at all times, and are now, great promoters of literature and the fine arts ; for, from the great pleasure they derive from the perusal of the works of eminent authors or artists, there arises

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\* Lib. de Claris Oratoribus.

a propensity to patronize and encourage similar merit in a dependent situation.

64. To excel in arts, science, or literature, requires a capacity above mediocrity ; a quick, accurate perception, and sound judgement ; a strong propensity or liking to a particular study, which may, for the most part, be denominated genius ; and an ardour and perseverance in the prosecution of that study, to which genius may incline them. To these must be added the instruction of the best masters at the commencement of their studies, and the best models in their art, or in literature, to be laid before them for their perusal and imitation. In proportion to the degree in which these requisites are possessed and exercised, will be the advancement of the student, and the future degree of perfection to which he will attain. The wonderful effects of mechanism and art, used by Archimides in defence of Syracuse, when besieged by Marcellus, are read to this day

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day with astonishment. But this great philosopher, in the powers of his mind, quick discernment, and sound judgment, was superior to his contemporaries. As the helots, among the Greeks, were prohibited from practising in the finer arts, we must suppose them to have been carried on, only, by free citizens, of condition in the state. Those who excelled in them, appear to have enjoyed a reputation for judgment, and for a clear, comprehensive mind, independent of that which was acquired by their works. Phidias, under the patronage of Pericles, executed works in architecture, sculpture, and statuary, which evinced such grandeur and nobleness of conception, as could not have been produced by ordinary talents. The same thing may be said of Apelles as a painter, the favourite of Alexander, who, in his art, surpassed all his contemporaries. But the effects of capacity and ardour, in the prosecution of the same art, will appear clearly to every intelligent reader, in considering similar characters

ters near to our own time, and with whose general abilities we are better acquainted.

65. Were I to attempt the characters of Raphael, Michael Angelo Buonorotti, Titian, Rubens, and other great painters of the sixteenth century, I should only repeat what has been already better said by others who have examined their works ; were judges of them ; and acquainted with their private history. It is sufficient for me to observe, that, besides their excellence as painters, they were esteemed men of capacity, genius, and sound judgment ; great observers of nature, of ancient models, and of the works of their contemporaries ; to which requisites they owed the perfection they attained in their art. The great excellence to which Correggio arrived in his art, must have been owing to an accurate perception of nature, genius, and sound judgment ; for he was always in poverty, and could not avail himself either of the advantage of antique

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tique lectures, or of the works of his contemporaries.

66. The gradation of capacities, the great variety of dispositions and propensities in men, depend chiefly on a difference in the formation and constitution of the brain (par. 61.), the seat of the mental powers, which are as much varied as faces are ; but the original structure, from whence this difference is derived, is not demonstrable. The result of this difference, in the formation and constitution of the brain, is not so perceptible in the savage or uncultivated state of the mind of man, when his wants are few, and his mental faculties are seldom, and but feebly exerted, unless in hunting or in war. But as commerce, riches, and a more regular institution of laws and police are introduced into a state, the arts of peace and civilization gradually make their advances. During such a period, luxury and a refinement in manners progressively increase among the  
opulent

opulent inhabitants. These augment their real or imaginary wants ; to supply which, the powers of the mind, which were, in more barbarous times, in a sluggish state, are now exerted to their full extent. Then is called forth the abilities of men, who strive to emulate or excel each other ; and a decisive preference, for the pursuit of a particular art or study, becomes discernible in individuals.

67. This diversity of genius, or of talents, for particular occupations, is a wise provision in nature for the happiness of mankind. It must, however, be remarked, that those men, whose genius leads them to a particular art, are very few, compared to the great bulk of the people. The latter, for the reasons already given, have their reasoning faculties, for the most part, extremely limited ; they, of course, are seldom the authors of useful discoveries or inventions in the arts. They are more distinguishable from one another, by particular dis-

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positions, a greater or less docility, the prevalence of particular passions, capricious tempers, and other particularities of the mind ; and must be considered more as men of labour, than of genius. The most extensive capacities are not exempted from certain peculiarities of temper which characterize the mind ; and although the strength of their understanding enables them, in a great degree, to hide from public view, such passions and inclinations, as are held to be blemishes in the characters of men, yet they irresistibly break out now and then. The studies of such men are usually in the most difficult branches of philosophy, arts, or government : their subjects of contemplation must be suited to their powers ; for those more easily comprehended afford them less pleasure.

68. Education, and the force of habit, have, no doubt, a powerful effect on the mind, which, with the variety of capacities, dispositions, and propensities just mentioned, give a decisive determination

termination to a particular taste, either in literature or the fine arts. In proof of this, we have only to recollect what we know of the different merits, styles, and tastes, of authors, of composers of music, of architects, and painters. It would be needless to contrast the best poets, historians, philosophers, and artists, of ancient and modern times, who are read and examined with so much pleasure and instruction, with others, who cannot be perused with patience, on account of their demerits. Even the choice of their subjects, and their manner of treating them, are so different, that a person may often judge of a man's intellect from a title-page, or the smallest specimen of his work. The subjects of Raphael, Michael Angelo, and others of the great painters of the 16th century, were noble and sublime; and, in the execution of their work, they gave such grace, motion, and expression of the passions to their figures, as made them vie with nature in her best attire. On the other hand, such

of the Dutch and Flemings, as possessed not the talents of the great Italian artists, or those of their own country, suited their subjects to their inferior capacities, education, and taste. They chose wakes, fairs, weddings, alehouses, stables, and kitchens, for the practice of their art; and though their subjects were mean, yet, by perseverance, a quick perception, and some genius, they sometimes succeeded extremely well, in expressing the passions, humours, and manners of the vulgar. Such paintings often contain a great deal of wit, humour, and satire; and, when well executed, give great amusement, and, of course, are esteemed. Literary performances, on mean subjects, and indifferently treated, have a contrary effect, and always disgust men of taste; for nothing under the genius of a Swift, could bring them to be read with pleasure. Though it is known, that the exercise of the mental faculties strengthens and enlarges the mind, yet this is most remarkable in persons whose capacities are above mediocrity;

erity ; for it is less and less perceptible, as we approach the clodpoll, whose mental powers are so extremely limited as to be incapable of much exercise. This is, perhaps, the true reason, why men of mean parts, who attempt literary pursuits, improve so little, in the manner of treating their subjects. Whereas painting is, in some degree, a mechanical art, and, of course, may be improved by time, perseverance, and imitation.

69. There are many young men, who, from the extent of their capacity and liberal education, improved by the conversation of learned men, are capable, in a few years, of obtaining a competent knowledge of the constitution and laws of their country, of the different branches of philosophy and of the arts. Though such men readily embrace every opportunity of improvement and information, yet there are fewer instances, among them, of a strong natural propensity to a particular study,

than are to be found in others of inferior parts, especially if they are in opulence. Their independent situation, often puts a negative on that kind of task-reading, which men are obliged to go through, in the study of a profession. But as their minds are always active and eager for information, they become general readers in every branch of literature; they indulge in the conversation of learned men; become useful members of literary societies, but incline not to the prosecution of any professional employment. There are others of the same class, who, though equally independent, yet, from their connexion with men in power, or with professional men of eminence, on whose support and interest they can depend on, are induced to go through with the laborious study of a profession, in which they often rise to the first rank. But when men of equal abilities are in a dependent situation, it is necessity that obliges them to make choice of some professional employment, in which,

which, from their judgment, ardour, acuteness, and perseverance, they generally rise to eminence.

70. In preferring one profession to another, men are often led by habits, acquired in assisting their father, or other relation, in the prosecution of their business. A talent for public speaking naturally inclines to the bar; and a prospect of rising, through interest, to some dignified station in the church, frequently determines their line of study. In the profession of physic, is, perhaps, to be observed a greater variety of capacities, than in either of the other two just mentioned; \* some physicians, in this respect, being scarcely above mediocrity; while others are men of the greatest abilities. The former, from their limited

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\* It is here meant only to include those clergymen who have obtained the degree of D. D., and those gentlemen of the law who have attained the rank of Counsellors.

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powers, are obliged to keep solely in the beaten tract of medical practice; while the latter are easily capable of attaining, not only a more intimate knowledge of every thing relative to their profession, but of polite literature, philosophy, and the arts. I have ascribed the choice of a profession, for the most part, to habits acquired in youth, to interest, to accident, and often to a prospect of the great eminence to which they may arrive in the church, or in the courts of justice. I do not, however, deny strong natural propensities, in some men, to a particular profession, which, when accompanied with great abilities, soon raise them superior to their contemporaries. \* Men of a  
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\* How great is the difference between those men of genius, and others who, without the requisite capacity for professional employments, pursue them, merely, because they think them a genteel line of business! This arises chiefly from a foolish vanity and pride in the parents, which lead their children to overrate their abilities,

vigorous intellect, and comprehensive understanding, cannot submit to the practice of a mechanical employment, which affords little or no exercise to the powers of the mind, and, of course, gives not the least pleasure ; but others willingly pursue the same arts, being suited to their inferior abilities.

71. Natural talents, particularly adapted to certain employments, or arts, determine the choice of many young men ; but the most powerful

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ties, and bring them to the belief of their having a genius for a profession, in which they never attain any degree of reputation. How often do we see such dull young men struggling against nature, and sometimes in poverty, to obtain a smattering in languages and philosophy, when they might have been more suitably and usefully engaged in some mechanical employment, or at the plough ! It is needless to observe, how much the word genius is here misapplied ; how ill the public must be served by such professional men ; or to seek for any other cause, for sometimes poverty and distress, than their want of merit.



powerful agents in the minds of others, in this respect, are, education, example, and the force of habit. It would be difficult to prevail on a youth to adopt a seafaring life, who never saw a ship; but in sea-port towns, a general inclination prevails among the young men to become sailors. Similar observations may be made on those who have been much accustomed to the view of camps and military exercises. The children of the workmen in Birmingham, Sheffield, Woodstock, Manchester, and other manufacturing towns, usually pursue the mechanical arts of their fathers. These observations, however, are chiefly applicable to the vulgar, whose propensities are acquired, and whose capacities are too mean to be capable of any useful improvement or invention in their art,

72. This weak state of the intellectual powers is most conspicuous in those illiterate men, who, from the division of labour in extensive

tensive manufactures, are constantly employed in a single operation, which is to contribute to the completion of the manufacture. This is unquestionably the best and most expeditious method of carrying on all complicated works. But it is observed, that all those whose thoughts are confined to a single object, in the forming or finishing of one part only of the manufacture, become dull and stupid. It is most amazing, however, to what a degree of mechanical quickness and accuracy these men, by practice, arrive, in finishing their single operation : but the expedition and dexterity seem to be acquired at the expence of their intellect ; for when their labour is over, they naturally fall into that drowsy stupidity, so remarkable in this class of men. All mean occupations, of a simple nature, accompanied with bodily labour, but with little exercise of the mind, are known to have the same effect. This is most discernible in those districts of every country, where a simple, but laborious occupation has been  
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been carried on from father to son for several generations. These people are, in general, unsocial ; but, from the pleasure they enjoy in common with other men, when surpris'd into an agitation of spirits, on the approach of something new in the street, they eagerly run into crowds, and sometimes follow mobs. If I mention this propensity to run into the throng, in search of novelty, so prevalent among the vulgar, it is to show how innocently they sometimes may be propelled to join a mob, without any premeditated intention of being an actor in it. On the other hand, in a country where, from want of hands, several occupations are carried on by the same person, the mind must be employed in a variety of objects ; thought and invention must supply the want of skill ; and, from this daily exercise of the mind, men, thus employed, become more intelligent and conversable.

73. The Hindoos in India, by their religion, are divided into four casts, which, they say, are of divine origin, and proceeded from Brahma, the immediate agent of creation, under the Supreme Power, in the following manner; which established both the rank which they were to hold, and the office which they were required to perform. The Brahmin, from the mouth (wisdom), to pray, to read, to instruct. The Chehteree, from the arms (strength), to draw the bow, to fight, to govern. The Bhyse, from the belly and thighs (nourishment), called also Banians, to provide the necessaries of life, by agriculture and traffic. The Soder, or Soodera, from the feet (subjection), to labour, to serve. Subordinate to them is a fifth, or adventitious class, denominated Burrum Sunker, supposed to be the offspring of an union between persons of different casts, which is held to be unlawful: these are mostly dealers in petty articles of retail trade. The Soodera is divided into as many

ny classes, or tribes, as there are mechanical employments in India; and each individual, by their religion, is obliged to follow the employment of his father. It is to this practice, of their being smiths, carpenters, shoemakers, tailors, &c. from father to son, for thousands of years, we must, in some degree, ascribe the imperfection of most of their manufactures, when compared with those of Europe. \* But, for a farther illustration of our subject, let us take a short view of some of the habits and customs of the Gentoos and Chinese; likewise of their religion and constitution, in so far as they may tend to explain the present state of arts and sciences in the East, but more particularly

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\* It has been remarked by gentlemen who have lived in India, that the degree of intelligence, or mental abilities, observable among the mechanics, corresponds, in some degree, with the ingenuity they are obliged to exercise in the prosecution of their employments. But to this observation, some exceptions, no doubt, are there to be made, as well as among the lower ranks of the people in other countries.

larly in China. As the Chinese, in philosophy, sciences, and the arts, have continued almost stationary from time immemorial, it may be asked, to what causes this is to be imputed? On this I will not presume to give a decisive opinion; but shall proceed to offer, with great diffidence, the following observations on that subject.

74. The despotic and tyrannical government of the nations of the East, has a considerable share in benumbing the faculties of the mind in all the lower classes. For we find, that the independent men of rank, both in India and China, are far from being deficient in capacity; but consider it inconsistent with their dignity to exercise it in any thing, except in politics and war. It is not unconnected with our subject to remark, that, next to death, the highest punishment that can be inflicted on a Gentoo, is to degrade him from his cast: hence, has arisen a sixth cast, composed of the outcasts,

casts, called Pariars; in the Sanscrit, Chandalas; and, in common language, Coolies. They scarcely hold any rank; are not allowed to enter the house of a Gentoo, unless to be employed in the meanest offices. They sleep under shades, which project from the houses; or under small tents, and sometimes in the open air. A Gentoo considers himself as contaminated by their touch, which he endeavours to remove by several ablutions; and it is said, that if a Coolie should touch a Brahmin, he may be put to death. They appear to be thrown out from all society, except that of their abject brethren; seem to be put out from the protection of the law; and, as they are not permitted to enter any temple, or place of worship, we must look on them as persons excommunicated, and without religion. They are employed by the natives as porters, common labourers, scavengers, and in other mean occupations. Europeans hire them for similar offices; and they carry their palanquins. Having  
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little or no religion, they restrict not themselves, after the manner of the Gentoos, to a vegetable diet, but eat meat, and drink strong liquors, when they come in their way; are much stronger than the other natives, and more capable of labour and fatigue. I never heard that one of this cast, which is extremely numerous on the coast of Coromandel, was ever brought to read or write; and many of them are, in other respects, so grossly ignorant, as to be very little superior, in the faculties of their minds, to the beasts of labour. This is, perhaps, the strongest instance that can be given of the unhappy effects of slavery and cruel despotism, in almost extinguishing the mental faculties. Such a state of the mind, in savage nations, is usually accompanied with the violent passions of revenge, resentment, brutal and furious retaliation of injuries; but the despotic power exercised by all around them on this unhappy race, suppresses these malevolent



passions in them; for their dispositions are gentle, not sanguinary. \*

75. It is probable, that, in China, the number of years consumed by their young men, in learning, with any tolerable degree of exactness, to read and write the most difficult language on earth, must impede, during youth, the season of instruction, their progress in those other studies, in which Europeans are usually engaged. This arises from their having no proper alphabet; for they represent almost every thing by different characters. Their youth, therefore, are obliged to study many thousands of them, each of which has a distinct and proper signification. Some idea of their difficulties may be conjectured, from what we are told by F. Martini, who assures us, that he was under the necessity of learning sixty thousand different characters, before he could

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\* *Vide* Appendix, No. VII.

could read the Chinese authors with tolerable ease.

76. A very considerable obstruction to their improvement, is that extreme reluctance, they have always discovered, to any direct communication with the nations of Europe; to adopt their philosophy or their arts, or to practise any art, which they had not themselves invented and practised time immemorial. They admire our musical clocks, our watches, and other pieces of curious mechanism, which are purchased by them at a great price. They delight exceedingly in the music of the Europeans; and the more intelligent among the Mandarines see the great excellence and propriety of the rules for composition in our different species of music; and are astonished at the facility and accuracy with which the Europeans write the Chinese music, while it is played by the native musicians. They bestow the highest encomiums on the musicians of Europe,

and admire, exceedingly, the means furnished by them to facilitate and lessen the labour of the memory. Several of their Emperors, and dignified Mandarines, have been well acquainted with the history, laws, and police of the several nations of Europe. Even our philosophy is not unknown to them. Most of their opulent men possess curious specimens of various kinds of European mechanism. The cabinets and galleries of the Emperor are filled with European paintings; and the celebrated artists, Castiglioni and Attiret, were both employed by him; but their offer of erecting a school for painting was rejected, lest, by this means, the taste for that art should be revived, which it had formerly been thought prudent to suppress.

77. We are not sufficiently acquainted with the laws, usages, police, and government of that country, to enable us to suggest reasons for that uniform rejection of the establishment  
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of seminaries for the improvement of arts and manufactures, after the manner of the nations of Europe. It is certain, that some of their Emperors, and many of their great men, have confessed to the missionaries, and other European travellers, the great superiority of our arts, manufactures, machinery, and various contrivances to facilitate and shorten labour. But, notwithstanding this confession, they have as constantly and steadily adhered to the practice of their forefathers, as if it were with them a religious tenet, never to deviate from the habits of their ancestors; and, of course, have refused, with a most persevering obstinacy, to institute schools, or academies, for the instruction of their youth in the arts and manufactures of Europe. It is known to every one, how extremely difficult it is to transfer a manufacture from one country to another. Even when expert workmen have been obtained, and proper machinery and instruments constructed, where no expence was spared, accompanied

with the strongest ardour for success ; yet there has been always found something wanting, which retarded, for many years, the progress of the infant manufacture. But how much more must this be the case, in a country where the people have such an inviolable attachment to ancient forms, ceremonies, and practices, as puts the strongest negative upon every improvement !

78. The religion of the Chinese, full of fanaticism, idolatry, and superstition, must have powerful effects in debilitating the mental faculties. It is true, that they inculcate the belief of a Supreme Being, whom they call *Chongti* ; have the same ideas with us of his attributes ; and sometimes he is the object of their adoration. But they have a great variety of inferior deities, whom they worship ; and they are divided into a number of sects, the principal of whom are, first, the Ta-oze, the founder of which sect was Lao-kiun ; and, secondly,

condly, the followers of Fo. The Ta-oze appear to be Epicureans, and, in other respects, have very absurd notions relative to a future state. They are idolaters, worshipping imaginary deities, the manes of their ancestors, and even of their emperors. The followers of Fo, seem to have taken their religion from the Hindoos ; believe in transmigration ; and worship idols in the forms of various animals, into which they suppose the spirit of Fo to have entered. Their priests are called Bonzes, remarkable for their impostures ; pretending to be magicians, conjurers, &c. ; but are extremely ignorant, and despised by the literati. Though it is probable, that their philosophers and learned men are Deists ; yet, from the countenance and protection they are obliged to give to the established religion of their country, it is scarcely possible for them to keep free from the belief of several absurd tenets and practices of the general religion of the vulgar. But the great body of the people, receiving their faith

from the Bonzes, must be sunk in credulity, idolatry, and superstition, which partly produce, and are partly produced by, the imbecility of their minds ; of course, they are incapable of invention in arts or science.

79. To illustrate our subject still farther, and to show that the unremitting partiality of the Eastern nations, for the practice of their ancestors, was chiefly owing to a superstitious veneration for them, let us take a short view of the ancient government, by priests of different denominations. From the best histories I have seen, on the government of the Eastern nations of Asia, and particularly of the Hindoos, it appears to have been originally a pure hierarchy. Their Brahmins, in ancient times, seem to have had the same authority in the state, with the Druids of this country ; they were priests, legislators, supreme judges in civil affairs, and dictated on the political concerns of the country ; but, with the greatest artifice, they

they connected the highest degree of superstition with the discharge of their duties. In the assumption of their powers, and in their influence in the state, they appear, however, to have been more similar to the priests of the tribe of Levi among the Israelites, than the Druids. Indeed, the resemblance between the natives of India and the ancient Jews, is in many instances most remarkable. Not only were the governments of both nations hierarchical, but, in both, there was a vast variety of religious observances, extending to many particulars, which, in other countries, are matters of choice, or of indifference; and both entertain the most superstitious respect and veneration for their ancestors. In European nations, there is a love of novelty, and an ardour for improvement, which leads to a contempt of past times, and an high estimation of the present. In Asia, particularly in India, both on this side, and beyond the Ganges, there is a scrupulous adherence to ancient customs and manners;



manners ; and the object of emulation is, not to invent any thing new, but to preserve, in their original purity, the usages and doctrines of the most remote antiquity. The most striking features in the character of the Hindoos and Chinese, as well as those of the inhabitants of other countries in Asia, are, their superstition and veneration for the institutions and tenets of their forefathers. In India, the dominion of religion extends to a thousand particulars, which, in other countries, are governed, either by the civil laws, or by taste, custom, or fashion. Dress ; food ; the common intercourse of life ; marriages ; professions ; all are under the jurisdiction of religion. It prescribes rules of conduct in all circumstances and situations ; nor is there any thing almost so trifling or minute, as to be considered a matter of indifference. The religion in which they have been educated, however absurd, is, by the artifice of their priests, their daily practice of it, the imbecility of their minds, their ignorance, credulity,

credulity, and its concomitant, superstition, held as the most sacred concern of their lives; and they appear to be in the highest degree sincere in the profession of it. As they have, from the earliest periods of their history, connected their religion with every transaction in life; and every invention and improvement in arts, being considered as an innovation, it must have a remarkable effect in fixing that stationary condition of their arts, so observable in all ages.

80. The heat of the climate, and vegetable diet, mostly of rice, especially in India, and among the Gentoos, have a tendency to debilitate their bodies, to diminish the vigour of their minds, and to render them less firm, steady, and courageous. I know not whether these several causes are sufficient, of themselves, to produce an inability for that persevering exercise of the faculties of the mind, necessary to discoveries in philosophy, or improvements  
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in art ; or if it is to be partly ascribed to some natural defect in the powers of their minds, independent of the joint operation of the causes above mentioned. It seems, however, extremely probable, that this last circumstance takes place ; and that it gives to the above causes a decisive influence, in fixing the general weak character of the middling and lower ranks of the Chinese and Hindoos.

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## SECTION V.

FURTHER REMARKS CONCERNING THE EFFECTS  
OF A DESPOTIC GOVERNMENT, AND THOSE  
OF OUR FREE CONSTITUTION, ON COMMERCE.

81. As I have, in the four preceding Sections, endeavoured to place, in a proper point of view, the great advantages of a free constitution, for promoting commerce, and every species of improvement; so, it may not be improper to contrast these with the baneful effects of despotism, in a few particular instances relative to trade. Prior to the late revolution in France, many of the provinces of that country enjoyed particular privileges; most of them derived from their ancient Princes, the original proprietors, before they were annexed to the Crown. This variety of constitutions, in the different districts of France, joined to the absolute

folute power of their Kings, gave rise to a great number of different revenue-laws ; and, of consequence, required a multitude of revenue-officers to furround the frontiers, not only of the kingdom, but those of many of their provinces. By this injudicious plan, the transportation, from one province to another, of certain goods, subjected to the payment of particular duties, was prevented, to the no small interruption of the interior commerce of the country. A similar practice of taxation, on the conveyance of goods, from one part of the country to another, is followed in Spain, and several other countries ; but wherever it exists, it is always attended with the same bad effects, by obstructing considerably the inland commerce of the nation.

82. But a uniform system of taxation, with a few exceptions of no great consequence, takes place in all the different parts  
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of the United Kingdom of Great Britain ; and the interior commerce of the country, the inland and coasting trade, in most cases, is left entirely free. The greater part of goods may be carried from one end of the kingdom to the other, without requiring any permit, and without being subject to question, visit, or examination, from the revenue-officers. There are a few exceptions ; but they are such as can give no material interruption to any important branch of the inland commerce of the country. Goods carried coastwise, no doubt, require certificates or cockets ; but in other respects are, along the English coast, for the most part duty free. This freedom of interior commerce, the effect of the uniformity of our system of taxation, is, perhaps, one of the principal causes of the prosperity of Great Britain ; every great country being necessarily the best and most extensive market, for the greater part of the productions of its own industry. British subjects have likewise the liberty of exporting,

exempt

exempt from duty, almost every species of goods, which are the product of domestic industry, to foreign countries ; and in most cases, they draw back the full duties paid on foreign commodities when exported.

83. Wherever such a powerful aristocracy subsists, as existed in France, previous to the late revolution, the strict dispensation of justice must, in many instances, be in a great degree counteracted, where the interest and authority of the principal nobility are concerned. It is true, that the several courts of justice in France, called Parliaments, maintained in general the reputation of dispensing justice with great equity, according to the laws and usages of the country or province. But it must likewise be acknowledged, that the mechanic, farmer, or peasant, living on the domains of any of the privileged orders, would, in many instances, rather give up part of his interest, than enter into a lawsuit with his Lord, who from his wealth and authority,

authority, had it so much in his power to oppress him. This irregular and partial administration of justice, is, perhaps, more remarkable in Spain and Portugal, where the rich and powerful debtor is often protected from the pursuit of his injured creditors. This makes the industrious part of the nation afraid to prepare goods for the consumption of these haughty and great men, to whom they dare not refuse to sell upon credit, and from whom they are altogether uncertain of reimbursement. But in Britain, where the laws are equally binding on the highest ranks of the state, as on the meanest peasant, there flows that equal and impartial administration of justice, which renders the rights of the meanest British subject respectable to the greatest; and which, by securing to every man the fruits of his industry, gives the highest and most effectual encouragement to every species of labour.



84. In every country, where the Roman Catholic religion is established, the higher orders of the church enjoy revenues equal to some temporal Princes. This enables them to carry on, with regularity, an ancient practice, already noticed in a former Treatise, suited to their wealth, and high profession of the Christian faith ; the giving every day victuals and alms to the poor. The same well-meant acts of benevolence are daily exercised at the rich monasteries, nunneries, and other religious houses, but with the worst effects towards the promoting of industry among the lower ranks. Many of this last class of the people are indolent, and averse to every species of labour, while they can gain a bare subsistence by begging, and sometimes by thieving. This increases the number of beggars in every Roman Catholic country, greatly beyond what is to be found in the more industrious Protestant states ; and, of course, diminishes, proportionably, the  
number

number of useful hands for agriculture and manufactures.

85. The unnecessary institution of many religious orders or fraternities ; the immense list of monasteries, nunneries, abbacies, priories, and the superfluous number of ecclesiastics, with their idle dependants, engross a large portion of the inhabitants of every Roman Catholic country. These many thousands of religionists, are not only, for the most part, unproductive members of the State, but, in keeping up their several establishments, they load the public with a very considerable expence. Another bad effect of this idleness and sloth is, that it depresses, by its baneful example, the spirit of industry in all around them, to the obstruction of agriculture, manufactures, and commerce. The numerous festivals in Roman Catholic countries, on which the laity are either forbidden, or do not incline to work, are not only so many days labour taken from

the annual product of the industry of the country, but they introduce a propensity to idleness in the people. It is likewise evident, that persecution, on account of religious opinions, or the want of a liberal toleration in matters of faith, must deprive that country, where they exist, of many useful hands. -

86. Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another inconvenience: they abate the active powers of men; depress courage, invention, and genius; and produce an universal lethargy among the people. \* These remarks have been verified, in several nations of Europe, where absolute monarchy, with a strict adherence to the Roman Catholic faith, have subsisted for many centuries. In Russia, where the Greek religion is established, there is a toleration to foreigners of

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\* Hume, Hist. 8vo. Vol. VIII. p. 319.

of different persuasions, to whom that empire is greatly indebted for its improvement in science, arts, manufactures, and commerce, ever since it began to make a figure in Europe as a nation. But the government of that country, being more strictly despotic, than perhaps that of any other nation in Europe; and the whole of the peasants being slaves, and sold with the lands, even their nobles enjoying little more than a splendid slavery, the natives are, in general, nowise remarkable for the extent of their mental abilities. It is, however, certain, that some of their dignified clergy have made a considerable figure among the literati of Europe; and that several of their nobility and gentry, who have travelled, and had a foreign education, have returned to Peterburgh extremely well qualified for the army, navy, or the cabinet. But, in that country, where all men are estimated according to their military rank, subordination puts on its most rigid form; and the free exercise of the mental powers in the

farmer, mechanic, and manufacturer, is depressed and benumbed by the aristocratical pride of the superior ranks. I know not if these remarks, on a government uniform and stationary, are not likewise applicable to the empire of China, and other nations in the East; and is perhaps one of the several causes, which operate so decisively in fixing that stationary condition of their arts and manufactures, mentioned in the preceding Section.

87. From these observations, it is evident, that trade, commerce, and the general improvement of a country, cannot be carried on under a despotic government, with the same advantages, or to the same extent, as under a free constitution. For from this last circumstance, arises that inventive enterprising spirit among the inhabitants, which, when properly directed, raises the prosperity of a country to the highest degree of which it is capable. In Britain, it is a great advantage to the public, that  
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the most experienced and intelligent merchants and traders, are consulted by our minister, previous to his proposing any act, relative to commerce, in Parliament, where it is freely discussed, before it can receive the sanction of the Legislature. It is to be regretted, that the information and advice of merchants, manufacturers, and traffickers, with regard to the articles in which their trade chiefly consists, or which they apprehend may interfere with the sale of their goods, are not always to be depended on ; but it is the duty and interest of Parliament, freely and dispassionately to examine facts. When the exigencies of government require new, or additional duties to be levied, on particular articles of commerce, care is taken that they shall always fall short of the sum that would impede the free importation or exportation of them, unless prohibition is, in some degree, intended. The late consolidation of custom-house duties, was a wise measure ; for every transaction between the re-

venue-officers and the trader, ought to be simplified as much as possible; nor can I refrain from observing, that trade is always hurt in proportion to the number of useless regulations with which it is shackled. It is on the wisdom of Parliament we must depend for the repeal of such acts, imposing duties, as experience has shown to be hurtful to commerce, without advancing materially the revenue. But our Legislature is always accessible by petition; and if our grievances are properly represented, they are redressed. It is from this free communication between the people and their representatives, that improper taxes and laws, indiscreetly interfering with the artist or merchant, are, when proposed, rejected by Parliament; or, if passed into a law, are repealed.

88. The turnpike-roads, established, by act of Parliament, throughout every county in Britain, and the quick dispatch given by the Post-office, are of the greatest advantage to commerce.

commerce. Though, as an island, canals may not seem to be so much wanted, or so obviously useful to us as to countries on the continent; yet, where the nature of the ground will admit of them, and they can be executed with advantage to the proprietors, they become of the utmost consequence to trade. Another advantage derived from them is, that soon after canals have been completed, the lands, to a considerable distance on each side of them, rise greatly in their value, from villages and manufactures being established on their banks; by which, population is likewise increased. These undertakings, however, are sometimes of such magnitude, as to require the aid of Parliament; and, when it is clearly demonstrated that they must be of great service to the commerce of the country, it is never refused. It has been observed, by Dr Adam Smith, and other eminent writers who have preceded him, that in all countries, where, by the branches of large rivers, and navigable canals, an inland navigation



navigation has been carried on to numerous and distant provinces, through cities, towns, villages, and hamlets; there, trade, commerce, the arts, civilization, and the art of government, have been more ancient, more improved and extensive, than in other countries destitute of these advantages: For example, Egypt, the countries furrounding the Ganges, but more especially the Empire of China. Whereas, in the countries of Africa, and many parts of America, the large rivers are at such a distance from one another, as to afford little other advantage from inland navigation, than what arises from a coasting trade. The Mediterranean, with its many large bays, rivers, and lakes, gave the ancient Grecian states, the Carthaginians, and Phœnicians, advantages in trade above any of their neighbours, or the more distant countries in Europe.

89. Another great cause of our commercial prosperity, is, the great respect in which  
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our eminent merchants, bankers, and tradesmen, are deservedly held by the public ; which contributes as much to the prosperity of this country, as any other circumstance that can be mentioned. These men, with large overflowing capitals, are the support of commerce, and of public and private credit. They form a distinct body, between the nobility and the people ; and are called the Moneyed Interest of this country ; for they have more the command of specie than any other class of men : Witness the facility with which they can fill up a public loan of twenty, or thirty millions Sterling, or to any amount that the exigencies of government may require. Their rank is respectable ; at Court they are received with attention ; and in private societies, they are always looked up to as men of power and influence. In subscriptions for works of public utility and charity, they, for the most part, take the lead ; and their generous example, has an excellent effect on the public. The children of these men, frequently intermarry with those of  
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the nobility of this country, who think not themselves in the smallest degree degraded by that connexion. The offspring of these marriages often succeed to the Peerage, or are created Peers by patent ; \* but merchants themselves

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\* There are, in the Peerage of England, upwards of twelve noble families, descended in a direct line, from eminent merchants, some of whom were Lord Mayors of the city of London. For their titles, see Anderson's History of Commerce, London 1787. 4to. Vol. III. p. 373. Some of whom are, 1st, Coventry, Earl of Coventry, descended from Sir John Coventry, mercer, Lord Mayor of London, in 1425. 2d, Brown, Viscount Montacute, descended from Sir Stephen Brown, grocer, and twice Lord Mayor of London, in 1438 & 1448. 3d, Legge, Earl of Dartmouth, descended from Sir Thomas Legge, skinner, once Lord Mayor of London. 4th, Capel, Earl of Essex, descended from Sir William Capel, draper, and once Lord Mayor of London, in 1503. 5th, Dormer, Lord Dormer, descended from Ralph Dormer, mercer, and Lord Mayor of London in 1529. 6th, Osborn, Duke of Leeds, descended from Sir Edward Osborn, clothworker, and Lord Mayor of London, in 1583. 7th, Cranfield Sackville, Duke of Dorset, descended from Sir Lionel Cranfield, a merchant of London, &c.

felves feldom attain to that honour. This negative to the rank of nobility, being conferred on our opulent men in trade, cannot be afcribed to their want of merit, or to any difhonour annexed to trade or commerce, but to an excellent policy in Adminiftration, to prevent large capitals being withdrawn from commerce. But the rank in fociety to which, by univerfal afcent, our opulent merchants are raifed, gives them a decifive fuperiority in commerce, over men in the fame line of bufinefs on the continent, where, from a ridiculous and childish vanity, trade is moft abfurdly held to be mean and difhonourable.



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# A P P E N D I X.

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## No. I.

ADVANCEMENT IN THE ARTS OF PEACE AND  
CIVILIZATION IS IN RUDE NATIONS VERY  
SLOW.

THE advancement of individuals in philosophy and the arts, is, in many instances, exceedingly rapid ; but that of a nation is, in general, gradual, and, for the most part, very slow. It must correspond, in some measure, with the present state of improvement, and with the practice and habits of the people. For any attempt to introduce, at once, a literature, or  
philosophy,

philosophy, greatly above their usual mode of thinking and reasoning on these subjects, is commonly thought to be too great a refinement on education ; it is received with reluctance, and often with severe criticism. The occupation of the Romans, for several centuries from the building of the city, was chiefly war and agriculture : they were, of course, unacquainted with the advantages of philosophy, rhetoric, and the fine arts, as practised in the more civilized nations of Greece. Such a dread and aversion to polite literature prevailed among them, even so late as the end of the sixth, and beginning of the seventh century, that, upon a motion being made by M. Pomponius, town prætor, the Senate passed a vote to the following purport : ‘ That, whereas mention had been  
‘ made of certain persons, called philosophers  
‘ and orators, the Fathers gave it as their opinion, that the inspection of that affair  
‘ should be committed to M. Pomponius, who  
‘ should take care, as it appeared to him for  
‘ the

‘ the good of the commonwealth, and consist-  
‘ ent with his duty, that such persons should  
‘ not be suffered to stay in Rome. ’

But an edict of the censors, about that time, Cn. Domitius Anobarbus and L. Licinius Crassus, gives the most lively picture of Roman roughness. It runs thus :

‘ Whereas it has been reported to us, that  
‘ there are men now in Rome, who have set  
‘ up a new sort of education, and have assumed  
‘ to themselves the name of LATIN RHETORI-  
‘ CIANS, to whose schools the youth resort, and  
‘ sit idly spending the whole day. We, there-  
‘ fore, announce and declare, that our fore-  
‘ fathers have already appointed what they  
‘ would have their children to learn, and  
‘ what schools they would have them to fre-  
‘ quent. As for these NOVELTIES, which are  
‘ introduced contrary to the practices and cus-  
‘ toms of our ancestors, they neither appear



‘ right in themselves, nor do we approve.  
‘ Wherefore we think it our duty to acquaint,  
‘ both those who keep the said schools, and  
‘ those who frequent them, with our censorial  
‘ opinion, that they abstain from such practice  
‘ for the future. ’ \* Cicero being then fourteen  
years of age, and employed in learning that  
eloquence for which he became so famous,  
was probably involved in this censure, as fre-  
quentering the schools which, by this formal e-  
dict of the magistrate, were condemned.

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\* A. Gellius, lib. XV. c. 2. et Sueton. de Clar. Rhetor. c. 2.

## No. II.

PANDECTS NOT LOST, AS GENERALLY  
SUPPOSED.

THE account uniformly given by authors, is, that there was but one copy of the Pandects extant in Europe in the twelfth century, and discovered in the manner mentioned. That the Pandects were little known, and less read, on account of the ignorance of the times, prior to the above period, may be readily granted; but, that all the copies of this valuable book were lost or destroyed throughout Europe, except that at Amalphi, can scarcely be credited. This extraordinary anecdote, in the history of the Pandects, bordering on the marvellous, might no doubt contribute, in some degree, to the general belief of it. But it is evident, from Gianovi's history of Naples, lib. ii. c. 2, that, notwithstanding

the destruction of many valuable books, during the invasions into Italy, by the barbarous nations, after the sixth century, copies of the Pandects escaped the general devastation ; as appears from the frequent references made to them, by Ivo of Charters, in his Epistles, 46, 69, &c. It is likewise certain, that Justinian's Institutions were preserved in Italy, by Abbot Desiderius, in his library of Cassino. Theobald, archbishop of Canterbury, brought the Pandects into England, soon after his consecration in 1138. Besides, it is known, that the study of the Roman law was general in the English schools in 1149, and was publicly taught by Rogerius Vacarius, a Lombard lawyer, to a numerous audience.—*Erskine's Institutes. Edinburgh, 1773. Lib. i. tit. 1. par. 32. p. 10.*

## No. III.

THE EDUCATION AND QUALIFICATIONS OF A  
STATESMAN.

To prove this observation, let us take a short view of what ought to be the preliminary studies and education of the youth, whose abilities, and ambition to excel, give the greatest expectation of his becoming, in some future period, a leading member in the Legislative Assembly of his country. This should commence with the study of languages, philosophy, the civil and municipal laws in some reputable university, or under the best masters for these several branches of literature. He ought to be well informed in ancient and modern history: he should be particularly acquainted with the different governments of Europe; their powers, their connexions with one another, and their natural interests. This

may be learned by reading, and the conversation of intelligent men, who have lived in these several countries ; but is best obtained by travelling, and a residence for some time at each court. The most indispensable study, however, of a British statesman, is the laws of his own country, a complete knowledge of the forms, usages, and privileges of Parliament, and prerogatives of the Crown ; and an intimate acquaintance with the abilities, interests, foibles, and connexions of the leading men, in opposition to the minister, in both Houses. All this will be of no avail, without that self-command, so absolutely necessary to a statesman in office, when unexpectedly attacked with severity ; for, in proportion to the calmness with which he can attend, even to abuse, will be his advantage over his adversary.

But the preliminary education, and qualifications just mentioned, are not sufficient, of themselves, to form a great statesman ; they  
must

must be combined with an extensive capacity, great vigour of mind, habits of application to business, a methodical allotment of time, with a clear and quick perception of the propriety, necessity, advantages, and disadvantages, of what may be proposed in Parliament, by himself or others, for the public good. Besides, negotiations with foreign powers often require particular talents and qualifications; sometimes they are of a simple nature, and easily settled; at other times, they are intricate, and of so delicate a nature, as to require an exact scrutiny into the claims and pretensions on both sides, before a complete view of the plan, on which they ought to proceed, can be fixed. Though the principles, on which statesmen pretend to negotiate with foreign courts, are those of equity, justice, and the law of nations, paying a regard to the usages of countries in particular cases; yet the address which ministers show in foreign negotiations, may, for the most part, be held as the measure of their abilities.

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abilities. It must, however, be freely acknowledged, that this outline of the preliminary studies, the natural and acquired endowments necessary to form a statesman, is very imperfect; as every epitome must be, of a subject so extensive. I mean not, by these remarks, exactly to define the qualifications of a first minister, a subject which I find myself incapable of prosecuting with any tolerable degree of satisfaction. I wish rather to show, that the talents and qualifications necessary to the formation of such a character, as I have attempted to delineate, can be found in very few men in any state.

## No. IV.

ON THE USES OF POETRY, WHEN ABOVE  
MEDIOCRITY.

THESE works of imagination, when above mediocrity, are often, from a happy turn of expression, and the wit they contain, calculated to amuse, and to give pleasure to the reader. Sometimes the mind is raised to a degree of astonishment, rapture, and delight, by the brilliant fancy of the author, in his descriptions of nature, delineations of the passions, and by the justness of the metaphors and allegories. If, in the perusal of poetry, the understanding is not enlarged, the fancy and imagination are at least improved : if our ideas are not increased, they are often, at least, by some happy expression, rendered more distinct : we eagerly catch at the picture from some beautiful and  
natural



natural description ; and all the passions are, by turns, excited according to the nature of the subject. These emotions are all of the pleasurable kind ; and the mind is often affected in a similar manner, as with the harmony and melody of music.

In the study of such performances, our taste is perhaps improved and refined ; a persevering indulgence, in contemplating the beauties of ancient and modern poets, produces a propensity to poetry ; but seldom makes a poet, which requires peculiar talents. Moral sentences, general maxims, proverbial sayings, the various characters of men, with something applicable to almost every subject of contemplation, conversation, or dispute, are to be found in poets, and written in so forcible a manner, as to strike the imagination more powerfully than if expressed in simple prose. Many of these striking passages are committed to memory, and sometimes cited as authorities with advantage ; for, if not used  
too

too frequently, which favours of the pedant, they give an elegance to composition, declamation, and even enliven our conversation. Our improvement in the languages in which ancient and modern poets have written, is a benefit, not the least considerable, that accrues from the perusal of them. These are, however, so far as I can recollect, the chief advantages to be derived from the study of poetry. Notwithstanding the fictions of poets, if we except some birds, man alone is endued with a musical ear ; at least, he possesses it in a superior degree to all other animals. There is such an affinity between music and poetry, that we find them, in the most early ages, and even in nations where great civilization had taken place, always conjoined. For prose composition was not known, in Greece, till the time of Pherecydes of Syros, the master of Pythagoras, and Cadmus of Miletus, who flourished only 544 years before Christ. Prior to this period, and for a considerable time after, poetry

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ry was used universally, as the record of history, ethics, and what might be called the BELLES LETTRES of the times. This was so much the practice of the ancient Greeks, that the name of an eminent poet conveyed the idea of a person who understood all the learning of the age; and to obtain the prize in the musical contests, was equivalent to the glory of being declared superior to the rest of mankind in mental abilities and endowments.

It is equally certain, that, before the invention of writing, or in countries where it was not known, historical facts were transmitted to posterity in poems. The measure and harmony of the verse gave not only a facility of recording it in the memory, but, in a great degree, prevented those interpolations and mistakes, to which prose must always be subjected. It is to this circumstance we must ascribe the preservation of many ancient poems, not only in Greece, but perhaps in all parts of the world.

world. A stronger proof of this cannot be given, than the preservation of the poems of Ossian in the Highlands of Scotland, without the assistance of manuscript; for many who sung or recited some of these poems, could neither read nor write their own language. The transmission, however, of these poems from parents to children, or from one generation to another, for upwards of sixteen hundred years, is a circumstance scarcely to be paralleled in the history of any other country in the world. \*

Mankind, in general, are naturally inclined to solace their hours of labour by singing of sonnets; and, in their hours of festivity, the song goes round, each singing, according to his humour, the comic, historical, war, or love song.

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\* For the authenticity of these poems, see Sketches of the History of Man, by Henry Hume Esq., one of the senators of the College of Justice: Edinburgh, 1788. Vol. I. from p. 425. to the end of the volume.

song. No nation, I am acquainted with, is more addicted to this kind of amusement, than the inhabitants of the Highlands of Scotland, to which they are induced, by their social, cheerful disposition; the long evenings in the winter; and, till of late, the want of manufactures to employ those hours which were given up to mirth. The sequestered situation of that country, the inhabitants remaining pure and unmixed, and their continuing to speak to this day nearly the same language that Fingal and Ossian spoke, have favoured exceedingly the traditional record of these poems. But the society of bards, which subsisted in the Highlands from the most ancient times to the last century, and whose education and profession was not only to compose poems, but to recite those of the ancient bards, has contributed more to the preservation of them, than any other circumstance.

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These observations, and the great resort, at all times, to musical entertainments, show how congenial music and poetry are to man. It is unnecessary to mention the wonderful effects of music, or the universal passion of men, for that delightful species of amusement. In ancient Greece, men of such eminence, as would in the present times think themselves dishonoured by being ranked among musicians, performed their part at musical entertainments. The great Theban general, Epaminondas, is said to have sung admirably to the lute ; and Themistocles, a few years before, was reputed to be deficient in good breeding, for having refused to play at an entertainment. The enjoyment of these performances is often so exquisite, that, from the rapturous excitement of the mind, long continued, the spirits of many of the hearers are, at the ceasing of the music, left below par. These pleasures are temporary, and continue only during the entertainment ; for, if we except the exquisite ears of some musicians,

musicians, who can recal to remembrance some remarkable passages, the whole is soon lost to most of the audience. It is otherwise with many of the ancient and modern poems of considerable length, that would lose their proper effects upon the mind, were they conjoined with music. They are better calculated for the closet, where alone their beauties can be contemplated. The pleasure, from the perusal of them, rises not so high as that from music and poetry conjoined; but it is more permanent, and more useful. For no man of taste can read a classical poem, full of beautiful images, brilliant and just ideas, most aptly expressed, and truths unobserved, till placed before him in a harmonious poetical language, without dwelling on those passages; which he endeavours to make his own, while he seems to converse with the author. This species of reading, however, is chiefly calculated for the entertainment of professional men in their vacant hours, for scholars by profession, and gentlemen of

of literature ; they best comprehending the beauties of these poems. But the pleasure and advantages they receive from such a study, are chiefly confined to themselves, unless when they become poets, and thereby contribute to the general amusement.

## No. V.

### SUPERIOR USES OF PHILOSOPHY AND THE ARTS.

THE improvement, however, we receive from the perusal and study of poetry, is purely mental, and confined to the individual ; and, as the rest of mankind are little benefited by it, poetry must, in point of utility, give place to the arts and sciences, which are of more general use. The latter are of slower growth, and are prosecuted by men whose minds have received from nature a different bias. The



parts of the poet and dramatic writer of eminence, are apparently more brilliant, from the brightness of their imagination, and luxuriance of their fancy. It is these qualifications that enable them to write such beautiful fictions, and adorn truth with such poetical language. The philosopher, on the other hand, contemplates, in his closet, the laws of nature, the properties of bodies, the results of combinations, the powers of mechanics; and meditates on new experiments, for the investigation of some useful truth.

The deep meditation in which those men are often engaged, gives some of them a grave contemplative look, which they retain, in some degree, even in convivial societies. This must not be ascribed altogether to the influence of habit, which has so wonderful an effect on the countenances of men, but to a particular disposition of mind. This disposition, which, in some, requires so strong an impulse to move the

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the risible faculties, is not peculiar to men of genius ; for we see the most solemn faces, with the most limited capacities : the aspect of thoughtful investigation, however, is very different from the self-applauding gravity of vacant stupidity. Men of great learning, and considerable parts, are often men of great wit and humour ; and those of the same class, who possess not these talents, enjoy such conversation, and seem as happy and cheerful as the humourist himself ; but the wit must be elevated to their capacity, and not of the puerile kind. Well informed philosophers and artists, whose education in natural philosophy, natural history, chemistry, geometry, mechanics, and the fine arts, gives them often a prescience in the results of experiments, are, when their pursuits are carried on with judgment and assiduity, the most useful class of men in any nation. It is to the progressive improvement and discoveries of these men, through many ages, we owe our present advanced state of mathe-

mathematical learning ; our knowledge in astronomy, the course of the planets ; their distances from the sun ; from one another ; and some of the laws by which their motions are regulated. It is likewise to these men we are indebted for many inventions and improvements, in arts, mechanics, navigation, &c. ; and, of course, for the present flourishing state of our manufactures, commerce, and agriculture.

## No. VI.

### ON THE ELECTRICAL FIRE, AS AN UNIVERSAL AGENT.

THE properties of the electric fire were but little known, till the time of the illustrious Franklin, who, by his decisive experiments, showed the identity of this fluid with lightning, and the aurora borealis. Though the *data* afforded to philosophers on this subject, by

by this great man, have enabled them to enlarge our views of the nature and properties of the electrical fire, yet our knowledge, on this head, is still exceedingly imperfect. It has been supposed, in a cursory way, by some late authors, that the sun itself is a body of electrical fire; but no principles have been yet published, on which the certainty of this doctrine can be proved. It seems not to me, however, improbable, that the dark body of the sun acts as a magnet on the electrical fluid, which it attracts from all parts of this universe, that have a surplus quantity.\* If we admit

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\* In our electrical experiments, it is observed, that a hollow paper globe, accurately gilded over the whole of its surface, is capable of receiving as much electrical fire in an accumulated state, from the conductor of an electrical machine, as a solid globe of metal of the same diameter. If, therefore, the dark body of the sun acts in a similar manner, in regard to the luminous matter on its surface, said by philosophers to be about five thousand miles thick, there is no reason to suppose this dark nucleus

this as a fact, then the centripetal force of the sun, and centrifugal force of the planets, may be more distinctly explained and understood, than at present. The sun's motion round its axis is apparently what gives motion to the whole planetary system; this great body of electrical fire repelling each planet, according to the nature and properties of the matter of which it is composed, to a certain distance; and, by a seemingly opposite power of attraction, keeping them in the exact line of their orbits, similar to what is observed in some electrical experiments. If such a conjecture can be admitted, we must likewise suppose, that the earth's motion round its axis, and in its orbit round the sun, will have the same influence in giving motion to the moon round the earth, while the same attractive power forces the moon to follow the earth in its circuit. If this doctrine shall be found true, it will

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to have been made solid throughout; for the works of God are always perfect, never superfluous.

will account for the motions of the satellites of the more distant planets, and for the double ring of Saturn. We must then suppose the whole planets and satellites to be replete with electrical fire; or to contain such a quantity of it, in a latent or active state, as may correspond with the nature of their substance to produce these effects. We may then conjecture the comets, of whose nature and uses we are at present so ignorant, to be fetchers and carriers of electrical fire; thereby keeping up that equilibrium, in the planetary system, by which it subsists.

That the electrical fluid is one of the most active principles in nature, cannot be disputed. I have long supposed it to be the cause of earthquakes, produced by an effort to restore the equilibrium of its power. For no other force, yet known, can account so well for the great extent of an earthquake, felt in different regions of land and

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water,

water, nearly at the same time, acting with more or less power, according to the distance from its central force. As earthquakes sometimes terminate in the production of a volcano, or in the irruption of one that has long subsisted, it is not unreasonable to suppose streams of electrical fire to be the cause of them. I have always been inclined to consider volcanoes as so many spiracula, or vents of electrical fire, conducted to them by some natural cause, with which we are unacquainted; and the electrical state of the air, near the crater, especially during an irruption, favours this opinion. Strata of pyrites, or other inflammable substances, supposed to be under, or in the neighbourhood of, such volcanic mountains, were they to kindle, would probably continue to be inflamed till the whole was exhausted; and cannot therefore account for the repeated irruptions of volcanoes for thousands of years. We cannot keep the most inflammable substances, above ground, in a state of inflammation,

inflammation, without an accession of pure air ; but from the bottom of volcanoes, where such air cannot be supposed to exist, rocks, stones, and ashes are thrown out of the crater, to an immense height and distance, or vitrified into rivers of lava. The idea of a central fire, is too absurd, to merit refutation ; every fire under ground is, in respect to the earth's semi-diameter, superficial, and must have its vent ; nor is there any species of fire, with which I am acquainted, that can account for the several phænomena of earthquakes and volcanoes, but the electric.

This amazing fluid, which pervades all space, and by whose astonishing powers the greatest operations in nature are apparently carried on, has likewise wonderful effects, in conjunction with its kindred principle, heat ; in evaporation, vegetation, and other natural processes less conspicuous. The learned Dr Stukely, in his ingenious paper on the philosophy of earthquakes, which he ascribes to electrical



trical fire in the air, has this remarkable passage: ‘ Come we to the animal world, we  
‘ must needs assert, that all motion, voluntary  
‘ and involuntary, generation, even life itself,  
‘ all the operations of the vegetable kingdom,  
‘ and an infinity more of Nature’s works, are  
‘ owing to the activity of this electric fire;  
‘ the very soul of the material world. And, in  
‘ my opinion, it is this alone, that solves the  
‘ famous question, so much agitated with the  
‘ writers in medicine, about the heat of the  
‘ blood. ’ \* It is probably, also, a considerable  
agent in the production of winds, storms, and  
hurricanes. But as we have not *data* sufficient  
to proceed on these subjects with certainty, and  
as I mean only to mention some of the most  
conspicuous powers and properties of the elec-  
trical fire, so I shall leave this intricate subject,  
greatly beyond my abilities, to be investigated  
by others more competent to the task.

No.

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\* Philosophical Transactions of London for 1750.  
Vol. XLVI. p. 748.

## No. VII.

## ON THE ORIGIN OF THE GYPSIES.

SEVERAL historical facts throw some light on the obscure origin of the vagrant people, called here Gypsies, or Egyptians ; and on the Continent, Cingari, Zingari, and Chingali. They are supposed to have emigrated about the beginning of the fifteenth century, from the north-west parts of the Peninsula of Hindostan, where they are numerous, on the coast of Guzerat and Sindy, and appear to be the same with the Pariars, or Coolies, on the coast of Coromandel, Malabar, and other more southern parts of India. It is alleged, that the maritime turn of this numerous race of people, with their roving and enterprizing dispositions, may warrant the idea of occasional emigrations in their boats by the Red Sea, Munster, and afterwards

afterwards Spellman, fixes the time of their first appearance in the year 1417, which is more probable than the account given by others, of their not having been observed in Europe, till the beginning of the sixteenth century. For it is certain, that Uladislaus, King of Hungary, granted a protection to Thomas Pilgar, and his twenty-five tents of Gypsies, in 1496, on account of his services for making a quantity of musquet bullets, and other military stores, for the troops of Sigismond, bishop of Funfkerchens; as mentioned by the Abbe Pay, in his Annals, and Fraidwaldsky, in his Mineralogy. As these Gypsies were then, and had been for a considerable time, in most kingdoms in Europe, particularly in the south-east provinces, where they are to this day most numerous, they are not mentioned as strangers lately come among us, by these authors. Besides, the year 1417, or thereabout, coincides more exactly with the time we may suppose them to take in travelling

ling from Hindostan to Europe, after the entrance of that sanguinary conqueror, Timour-beg, or Tamerlane, about the year 1408. This cruel Tartar, from his extensive massacres of the natives, is supposed to have compelled this lowest cast of the Gentoos, extremely poor, and less attached to their native country than those of better condition, to seek for safety in foreign lands.

Though we have not, perhaps, sufficient evidence to warrant this assertion, that the Gypsies came originally from Hindostan, yet there are several circumstances, which, if duly and impartially considered, will, I am confident, at least amount to a presumptive proof of its truth. For it must be remarked, that there is no evidence on record, that the Gypsies were recognized in Europe before the period above mentioned; but, by the end of the fifteenth, or beginning of the sixteenth century, they were observed to stroll in companies

panies through every kingdom and province, both in the eastern and western empires. For, in every country in which they sojourn, they are known to be strangers, and a distinct race from the natives; and as they were observed, on their first arrival in Europe, to have emigrated from the East, they were supposed, by the ignorant, to be Egyptians. It is from these circumstances, they have obtained with us, their name, and which they themselves, from custom, have adopted. But it must be remarked, that they are as much strangers in Egypt, as they are in Spain, Britain, or Denmark; and speak not the Coptic, till after a long residence in that country. Their vernacular language is different from that of every country on this side of India, or in Africa; but has an evident affinity to the Moorish, or vulgar Gentoo language, as has been clearly demonstrated by H. M. G. Grellman, and likewise by Mr Marsden.\* The former of these

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\* Archeologia, vol. VII. p. 382.

these authors dwells, perhaps, too much on a similarity between the Pariars and Gypsies, in their following the same occupations and trades of whitesmiths and blacksmiths. These employments, he says, are carried on by both in a similar manner. Their instruments are few, simple, and badly constructed, consisting only of a bellows, a pair of pincers, a hammer, a vice, and a file, which they carry in a bag to the door of their employer, using a stone for an anvil. These circumstances are, however, too vague and uncertain, to be admitted as a proof of the Pariars and Gypsies being originally the same people. But, notwithstanding they, of themselves, prove nothing; yet, like collateral evidence, they may give an additional credit to other remarks, arising from some peculiarity of constitution, in body and mind, common to both. This national character may, in some degree, be recognized in the similarity of complexion, their universal loquacity,

loquacity, cowardice, laziness, and the concomitant of this last, with all unprincipled beggarly people in every country, thieving. The Pariars, as we have seen, have no religion, at least they are not allowed to enter any place of public worship in India ; and though the Gypsies, from policy, adopt the religion of every country in which they live, yet, in spiritual affairs, they appear to be in no better condition.

That the Gypsies are a distinct race of people from the native inhabitants of Egypt, and from those of every country in Europe, can scarcely be disputed: For near four centuries they have wandered through the world ; and, in every region, they have continued uniformly unchanged by the lapse of time, the variation of climate, or the force of example. Their singular physiognomy, and peculiar manners, are the same in every country. Their  
swarthy

swarthy complexion receives no darker shade from the burning sun of Africa, nor any fairer hue from the temperate climate of Europe. From the first appearance of the Gypsies in Europe, we must suppose their language to have undergone some change; and that several words of the language of the country in which they lived for any number of years, would naturally mix with their vernacular tongue. But, notwithstanding the alteration this must have produced, it is confidently asserted by authors and travellers, that the Gypsies in Africa, and in the different countries in Europe, can, to this day, converse with each other in a common vernacular language. If, to these circumstances, we should bring again to our recollection, the greater affinity of their tongue to the Hindoo, than to any European or Asiatic language; their not appearing here till some years after the invasion of Hindostan by Tamarlane,



and their being evidently strangers in every country, it must appear extremely probable that their progenitors were Pariars, or Coolies.

FINIS.

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and then the same thing was done  
for the other side of the river  
and the same thing was done















